OCTOBER, 1787. THE NUMB. 2995.

PENNSYLVANIA GAZETTE.

WEDNESDAY, OCTOBER 24, 1787.

Imported in the ſhip Harmony, Capt. Willet, from London, and the Birminghani, Capt. Kerr, from Briſtol, and to be ſold,

By *Towers* and *Evans*,

Adjoining the Preſbyterian Meeting, in Market-ſtreet,

A GENERAL ASSORTMENT of

Drugs, Painters Colours, Glaſs, &c.

Among which are the following ARTICLES, *viz.*

Excellent red bark, camphor, iſinglaſs, glauber ſalts, a quantity of refined ſalt-petre, and a variety of

PATENT MEDICINES----ALSO,

White lead,	Litharge,
Red lead,	Roſe pink,
Spaniſh brown,	Strewing ſmalt,
Pruſſian blue,	Stone oker,
Frankford black,	Verdigreaſe,
Patent yellow,	Vermillion, &c.

SHEET GLASS,

29 inches	by 24,	23	by 17
26	by 22,	20	by 16

Briſtol WINDOW GLASS,

11 by 9	9 by 7
10 by 8	8 by 6

Glaziers diamonds, gold leaf, camels hair pencils, painting bruſhes, pallet knives, prepared oil, ſpirits of turpentine, varniſh, &c. &c. October 12.

IMPORTED, and to be SOLD by

JOHN WOOD,

CLOCK and WATCH Maker,

In Front-ſtreet, at the corner of Cheſnut-ſtreet,

GOLD watches; patent ſeconds, capped and jewelled and common ſilver ditto, clocks; a great variety of japanned clock faces, caſt clock work, round enamelled dials for time-pieces, ſilverſmiths drawing plates; large turkey oil-ſtones.

ALSO, an aſſortment of clock and watch makers tools and materials, files, &c.. ‡

BY virtue of a precept from David Rittenhouſe, Eſq; ſole Truſtee of the General Loan Office of the (late province, now ſtate) of Pennſylvania, to me directed, will be expoſed to public Sale, on the premiſes, in the townſhip of Darby, on Saturday, the 10th day of November next, at one o'clock P. M. a meſſuage or tenement and two plantations or tracts of land, one of them containing 176 acres and three quarters, bounded by lands late of Andrew Vein, Andrew Mortin and others, the other containing ſix acres three quarters and fourteen perches, adjoining land late of Swan Boon and others. Taken in execution, and to be ſold as the eſtate of Andrew Boon, by

† EZEKIEL LEONARD, Sheriff.

Cheſter county, October 8, 1787.

Sixteen Dollars Reward.

BROKE looſe, or was ſtolen from the yard of the Fox-chaſe, at the upper end of Second-ſtreet, on Sunday afternoon, the 14th of October, 1787, a large black HORSE, upwards of 15 hands high, a white face, his hind feet white, has a remarkable white ſpot at the root of his near ear, has a long heavy trot; he has a ſhort ſwitch tail, was in good order, is about 8 or 9 years old, ſhod before. There was on him, when miſſing, a good ſaddle and bridle, and an old green ſaddle-cloth. Whoever takes him up and delivers him to the ſubſcriber, at the three mile ſtone, on the Ridge road, or to Peter Souder, at the Fox-chaſe, ſhall have FOUR DOLLARS Reward, or if ſtolen, and the thief apprehended, ſhall have SIXTEEN HARD DOLLARS, paid as above. ¶ WILLIAM HENDERSON.

N. B. He was ſeen the ſame evening he was miſſing, on the Ridge road, a man on his back with light coloured clothes on.

Will be expoſed to ſale by public vendue,

On Thurſday, the 8th day of November next, on the premiſes,

A VALUABLE PLANTATION, in New-Britain townſhip, Bucks county, containing better than 400 acres of fine land, about 75 whereof are good meadow, and nearly as much more may be made, nearly one half very well timbered, and the plough land is good for paſture and all kinds of grain. On the premiſes are two large ſtone houſes and barns, two apple orchards, and a large nurſery of apple trees. It is exceedingly well watered and under good fence, and will be ſold together, or divided, to ſuit the purchaſer or purchaſers.

ALSO, one other tract of land, lying in Hill-town townſhip, Bucks county, containing 136 acres, about 10 whereof good meadow, and more may be made, having thereon a ſquared log houſe, a log barn, a log ſpring-houſe near the dwelling, a good young apple orchard, and other fruit trees. Better than one half the land is cleared, and under good fence, the remainder under good timber.

Perſons inclining to view the premiſes before the day of ſale, will be ſhewn them, by applying to the ſubſcriber, near the premiſes. § THOMAS JONES.

N. B. The terms will be made known on the day of ſale.

STOLEN from the ſubſcriber laſt Sunday night, out of the ſtable, a likely ſorrel HORSE, of the Janus breed, has a white blaze in his forehead, ſome white ſpots on his back, and a remarkable lump or knot on his off fore paſtern joint. Whoever ſhall ſecure the thief in any jaol, and brings the horſe to me, ſhall be paid a reward of TEN POUNDS, and reaſonable charges, by DAVID SMITH.

Elk-Town, October 16, 1787.

TO BE SOLD,

And the terms of payment made agreeable to the purchaſer,

ONE hundred and ſixty acres of land, ſituate on the north ſide of Neſhaminy creek, near the new bridge, late the eſtate of John Edgar, part whereof is meadow and more may be made; and whereon is ſufficient timber for the eſtate. The land is of ſuch a quality that it needs no further recommendation.

Apply to WILLIAM DOBLE, at Mount Benger, near the premiſes. ep4w

October 22, 1787.

CAME to the plantation of the ſubſcriber, in Upper Providence, Cheſter county, on the 25th of June laſt, a ſmall roan MARE, with a blaze in her face, ſix years old, is a little lame, her off hind leg having been broke. The owner is deſired to come, prove property, pay charges, and take her away.

October 15, 1787. ¶ MARGARET MAXWELL.

Public NOTICE is hereby given

To the FREEMEN of the city and county of PHILADELPHIA,

THAT in obedience to a Reſolve of the General Aſſembly of the ſtate of Pennſylvania, of the 29th day of September laſt, to chooſe ſuitable perſons to ſerve as deputies in a Convention on the Fœderal Conſtitution, a General Election is to be held for the city and county aforeſaid, on Tueſday, the 6th day of November next, for the purpoſe aforeſaid, and at the ſeveral places in the ſaid city and county as are fixed by law for holding the elections of Repreſentatives to the General Aſſembly; and that ſaid election is to be conducted by the officers who conducted the laſt General Election, and agreeable to the rules and regulations thereof, and at which places the electors of the city and county are to chooſe Five Perſons for the city, and Five Perſons for the county, to ſerve in a State Convention.

JOSEPH COWPERTHWAIT, Sheriff.

Philadelphia, Oct. 13, 1787.

Philadelphia, October 11, 1787.

BY virtue of a writ of Venditioni Exponas, to me directed, will be expoſed to ſale, by Public Vendue, at the Old Coffee-Houſe, in the city of Philadelphia, on Wedneſday, the 31ſt day of this inſtant, at 6 o'clock in the evening, a Plantation or piece of Land, ſituate in the townſhip of Blockley, and county of Philadelphia, containing, by computation, 100 acres; on which are two wooden tenements, a ſtable and other improvements; bounded by lands of Samuel Rhoads, John Hughes and others: Said place lies on Haverford road, 7 miles from the city, and has for ſeveral years been occupied as a public houſe of entertainment, known by the name of the Millſtone Tavern. Taken in execution as the property of William Roberts, and to be ſold, by JOSEPH COWPERTHWAIT, Sheriff.

Philadelphia, October 16, 1787.

BY virtue of a writ of Levari Facias, to me directed, will be expoſed to ſale, by Public Vendue, at the houſe of William Leſher, innholder, near the premiſes, at Germantown, in the county of Philadelphia, on Tueſday, the Sixth of November next, at three o'clock in the afternoon, A large two ſtory ſtone houſe, ſtone kitchen, a tan-yard, and a number of vatts, with a ſtone bark-houſe, currying ſhop, and ſundry other buildings and improvements, with the following lots of Ground thereunto belonging: No. 1. Containing 114 perches; bounded by lands of Jacob Snyder, George Kreemer, and King-ſtreet. No. 2. Containing 2 acres and 23 perches; bounded by lands of Jacob Snyder and Roxborough-ſtreet. No. 3 Containing 1 acre, 68 perches and 6 feet; bounded by land of Jacob Snyder and others. No. 4. Containing-----126 perches, and 6 tenth parts of a perch, bounding on Germantown Main-ſtreet, and land heretofore Benjamin Shoemaker's. No. 5. Containing------30 perches; bounded by Germantown Main-ſtreet and the laſt deſcribed lot, with the hereditaments and appurtenances thereunto belonging: Taken in execution as late the property of Abraham Jones, and to be ſold, by JOSEPH COWPERTHWAIT, Sheriff.

September 28, 1787.

IN purſuance of an attachment iſſuing out of the Court of Common Pleas for Dauphin county, againſt FREDERICK METZGER, at the ſuit of JOHN NEIPP; and of another attachment iſſuing out of the ſaid Court, againſt the ſaid FREDERICK METZGER and JOSEPH GETTIN, at the ſuit of FREDERICK HEISS; WE, the Auditors appointed by the ſaid Court, do hereby give public notice, that on Thurſday, the firſt day of November next, at ten o'clock in the forenoon, will be expoſed to public ſale, at the houſe of GEORGE BOYER, in Sheffer's-town, in the county of Dauphin aforeſaid, a quantity of Broad-cloths, Silks, Callicoes, and a conſiderable quantity of other ſtore goods, too tedious to mention. All attached as the eſtate or eſtates of the aforeſaid Frederick Metzger and Joſeph Gettin, and to be ſold as aforeſaid.

Therefore, all perſons who have any claims or demands againſt the ſaid Frederick Metzger and Joſeph Gettin, are deſired to exhibit the ſame, duly atteſted and authenticated, before the ſaid Auditors, at the town of Lebanon, in the ſaid county, on or before the 15th day of November next.

JOHN THOME,
HENRY SHEFFER,
§ PHILIP GREENAWALT, jun. } Auditors.

Montgomery county, October 6, 1787.

BY virtue of a writ of Levari Facias, to me directed, will be expoſed to public Sale, on TUESDAY, the 30th of this inſtant, on the premiſes, at two o'clock in the afternoon, a meſſuage and two tracts of land, containing 66 acres or there abouts, ſituate, lying and being in Limerick townſhip; bounded by lands of George Campbell, Eſq; and others. Late the eſtate of Samuel Stetler, but taken in execution, and to be ſold, by ZEBULUN POTTS, Sheriff.

Montgomery county, October 6, 1787.

BY virtue of a precept, to me directed, by George Schloſſer, Robert Smith and Rowland Evans, Eſqrs. Truſtees of the general loan-office of the commonwealth of Pennſylvania, will be expoſed to public Sale, on MONDAY, the 5th day of November next, at two o'clock in the afternoon, on the premiſes, a meſſuage and tract of land, containing 41 acres and 112 perches, ſituate, lying and being in Whitpain townſhip; bounded by lands of Peter Biſbing, Catherine Singers and others. Late the eſtate of Patrick Megargel, but taken in execution, and to be ſold, by ZEBULUN POTTS, Sheriff.

Montgomery county, October 6, 1787.

BY virtue of a precept, to me directed, by George Schloſſer, Robert Smith and Rowland Evans, Eſqrs. Truſtees of the general loan-office of the commonwealth of Pennſylvania, will be expoſed to public Sale, on TUESDAY, the 6th day of November next, at two o'clock in the afternoon, on the premiſes, a meſſuage and tract of land, containing 25 acres and a half, ſituate, lying and being in Upper-Dublin townſhip; bounded by lands of Hugh Burks, John Burks and others. Late the eſtate of Edward M'Vaugh, but taken in execution, and to be ſold, by ZEBULUN POTTS, Sheriff.

Montgomery county, October 6, 1787.

BY virtue of a precept, to me directed, by David Rittenhouſe, Eſq; ſole Truſtee of the general loan-office of the commonwealth of Pennſylvania, will be expoſed to public Sale, on WEDNESDAY, the 7th day of November next, at two o'clock in the afternoon, on the premiſes, one meſſuage and 141 acres or thereabouts, ſituate, lying and being in New-Hanover townſhip; bounded by lands of Iſaac Miller, David Jones and others. Late the eſtate of Valentine Sivell, but taken in execution, and to be ſold, by ZEBULUN POTTS, Sheriff.

To be SOLD by Public Vendue,

On Thurſday, the 1ſt day of November next, on the premiſes (if not ſold before at private ſale,)

A VALUABLE Plantation, in the townſhip of Upper Darby, and county of Cheſter, ſeven miles from Philadelphia, containing 46 acres; there is on ſaid farm, a good two ſtory Log Houſe, a thriving young Orchard of about 100 apple trees juſt beginning to bear, ſeveral excellent ſprings near the houſe, a never failing ſtream of water paſſing through the middle of it, ſeveral acres of meadow, part watered, and more may be made, the arable land good, a part being lately cleared, the Timber exceeding good, the title indiſputable. The terms will be made known, on the day of ſale, by

October 1, 1787. ¶ ISAAC KIRK.

To be Sold by Public Vendue,

On the 6th day of November next, in Marlborough townſhip, in the county of Montgomery,

ALL the real eſtate of Conrad Zimmerman, late deceaſed, conſiſting in three tracts of Land, adjoining each other; the firſt tract containing 125 acres and the uſual allowance for roads, ſituate 37 miles from Philadelphia, whereon is a good dwelling-houſe, barn, ſtables and other buildings, and convenient for a tavern, being ſituate on a road leading to Philadelphia, hath a fine orchard, a good well, and is well provided with timber, the remainder being clear upland and meadow. The ſecond tract contains 91 acres, 125 perches and allowance, hath a good dwelling-houſe and barn, with an orchard, cleared land, and ſufficient timber. The third contains about 14 acres and allowance, moſtly clear upland, and the remainder woodland. The ſaid tracts may be ſold jointly or ſeparate, being all patented land, and a lawful title can be given for it; a good part of the perſonal eſtate of the deceaſed will be ſold the ſame day on the premiſes. The vendue to begin at ten o'clock in the morning. Any perſon inclining to view or purchaſe the ſame, may apply to the ſubſcribers, who will give good attendance at the place and time appointed.

§ JACOB ZIMMERMAN, } Adminiſtrators.
MATTHIAS SHEIFFELY, }

To be Sold by Public Vendue,

On the premiſes, on the 8th day of next month, at one o'clock, P. M.

A PLANTATION, Griſt-mill and Saw-mill, in Wrightſtown, Bucks county, 24 miles from Philadelphia, and 5 from Newtown. The plantation contains 250 acres, 18 whereof meadow, the remainder good plow and timber land. There are on the premiſes a large ſtone dwelling-houſe, two ſtories high, 4 rooms on each floor, ſtone kitchen, a well of good water, barn and cow houſe. The griſt-mill an over-ſhot, on a large ſtream, two pair of ſtones, one a burr running on a country ſtone, a rolling ſcreen, and 3 boulting cloths almoſt new; alſo a new dwelling-houſe near the griſt-mill. The mills having lately been rebuilt and repaired are in good order for buſineſs, and may be entered on in the ſpring. The whole may be ſeen at any time by applying to the tenants, and the terms will be made known on the day of ſale, by JOHN WATSON.

Solebury, October 6, 1787. §

Eaſton, September 28, 1787.

BY virtue of a Precept iſſued by the Truſtees of the General Loan Office of the commonwealth of Pennſylvania, to me directed, will be expoſed to public ſale, on the premiſes, on Monday, the 29th day of October next, at ten o'clock in the forenoon, a certain Meſſuage or Tenement and tract of Land, ſituate in Whitehall townſhip, Northampton county; bounded by land late of Linford Lardner, Eſq; and others, containing 260 acres and 81 perches and the uſual allowance. Taken in execution as the eſtate of George Good, and to be ſold, by

‡ PETER EALER, Sheriff.

Eaſton, September 28, 1787.

BY virtue of a precept iſſued by the Truſtees of the General Loan Office of the commonwealth of Pennſylvania, to me directed, will be expoſed to public ſale, on the premiſes, on Tueſday, the 30th day of October next, at one o'clock in the afternoon, a certain Meſſuage or Tenement and two pieces or parcels of Land, ſituate in Lower Saucon townſhip, Northampton county; one of them bounded by land late of Jacob Weiſs, Michael Hertz and Daniel Heller, and containing 19 acres, be the ſame more or leſs; and the other of them bounded by land of Jacob Gieſſinger, Chriſtian Haup and by ſaid Michael Hertz land, containing 4 acres, be the ſame more or leſs. Taken in execution as the eſtate of Conrad Ummenſetter, and to be ſold, by ‡ PETER EALER, Sheriff.

Eaſton, September 28, 1787.

BY virtue of a precept iſſued by the Truſtees of the General Loan Office of the commonwealth of Pennſylvania, to me directed, will be expoſed to public ſale, on the premiſes, on Wedneſday, the 31ſt day of October next, at ten o'clock in the forenoon, a certain tract of Land, ſituate in Williams townſhip, Northampton county; bounded by land late of William Allen, Eſq; and vacant land, and containing 149 acres and the uſual allowance of 6 per cent. for roads. Taken in execution as the eſtate of Joſeph Frecker, and to be ſo by

§ PE ER EALER, Sheriff.

Cheſter county, September 25, 1787.

BY virtue of a writ of Levari Facias, to me directed, will be expoſed to public ſale, on Monday, the 15th day of November next, on the premiſes, in the townſhip of Tredyffrin, a valuable plantation, containing 344 acres, more or leſs; bounded by lands of Richard Peters, James Davis, and others. There is on this plantation an excellent ſaw-mill, with a never failing ſtream of water, alſo ſundry meſſuages. Said farm will be ſold ſeparate or together, for cash or credit, as will beſt ſuit the purchaſer or purchaſers. Taken in execution as the eſtate of Jacob Seigler, and to be ſold, by

§ EZEKIEL LEONARD, Sheriff.

Bucks county, September 22, 1787.

BY virtue of a Precept from the Truſtees of the General Loan Office of the commonwealth of Pennſylvania, to me directed, will be expoſed to public ſale, on the premiſes, on Monday, the 29th of October next, at two o'clock in the afternoon, a Meſſuage, Plantation, or tract of Land, ſituate in Tinicum townſhip, containing about 193 acres; bounded by lands of William M'Intire, George Bryan, Jacob Culp, James Patterſon, Robert Kennedy, and others, late the property of Nicholas Cuſtard. Taken in execution, and to be ſold, by

WILLIAM ROBERTS, Sheriff.

AUGUSTA, September 1.

A letter from T. Barnard, Esquire, Commissary to the Creek nation, to his Honor the Governor, dated Flint river, August 18, 1787, says "To-morrow I shall set out for the Cussitah's, in order to deliver your talk to them, which I apprehend will seem to them so far from granting their request, that I am almost convinced, from their present disposition, they will commit hostilities; therefore think it highly necessary for the inhabitants on the frontiers, from the mouth of the river Alatamaha up the streams of Oconee, to be prepared to meet them: as it is very uncertain where they will strike the first blow; but undoubtedly where they expect the least resistance.---From every circumstance, I have reason to believe the savages will be outrageous in a very short time.---Some of the Lower Town Indians have lately been at Pensacola, returned with a large supply of ammuntion, which they say, they received from the Spanish Governor O'Neal.---The party that had set out for Cumberland, with an intention to destroy that settlement, are returned without doing any mischief."

BOSTON, October 15.

A correspondent observes---there are no objections that may be raised against the Federal Constitution, proposed by the late Honorable Convention, but what may be urged against any form of government whatever---and to reject this constitution, is little short of reverting to a state of nature, and every man's saying, "to your tents, O Israel."

The husbandman, the mechanic, the sailor, the labourer, the trader, the merchant and the man of independent fortune, are all equally concerned in forwarding the American Constitution; for nothing short of a firm efficient continental government can dissipate the gloom that involves every man's present prospect, and give permanence to any plans of business or pursuit that can be laid.---The husbandman finds no encouragement to increase his stock and produce, for he finds no vent for them---the merchant stands idle half his time, or gets nothing for his work but truck---half our sailors are out of business---the labourer can find no employ---our traders involved in debt, while they can command nothing that is due to them---our merchants have been sinking money ever since the peace, for want of a commercial treaty, and the wealth of those few individuals who have large sums in cash by them, lies dormant for want of encouragement to loan it, under the security of just and equal laws.---All these evils will gradually subside, till they finally disappear, if we have but wisdom and firmness speedily to adopt the new Federal Constitution.

"Observe," says a late sensible and judicious writer, "the caution of the American Constitution, every sentence is full of meaning, and of such import, that none but the violent and dishonest can oppose. It carries the marks of piety as well as policy. No good man will wish to oppose it, and I hope no wicked man will dare to do it. It is calculated to answer the exigences of the times, and to unite in one federal body the interests of all. A mighty empire may be formed upon this basis, which shall make its enemies to tremble. While it gently detracts from the liberties of each, it provides for the security of all. If any imagine that it detracts from an individual state more than from another, let it be remembered it is but to bestow the benefit upon a sister or a brother, who have an equal claim to the benefit with themselves.---Why should members of one and the same family clash, while the interests of the family are the same?"

Should the arts of evil and designing men, fraudulent debtors, anti-federalists, insurgents, &c. so far prevail as to effect a rejection of the American Constitution, which God forbid, it may be seriously asked-- whether it is probable that America will ever be able to collect another Continental Convention that will undertake to form a Constitution for us? We certainly cannot expect to be so fortunate as ever to concenter again so bright a constellation of patriots, heroes and legislator.

NEW-HAVEN, October 11.

The town of Darby, at a legal town meeting on Monday last, resolved unanimously to instruct their representatives in the General Assembly, to use their influence that a Convention should be called as soon as possible, for the purpose of taking into consideration the constitution proposed by the Federal Convention, in conformity to the recommendation of Congress.

October 17. Thursday last the General Assembly of the state convened in this city; and yesterday they passed a resolve, appointing Monday, the 12th of November next, for the several towns to meet, for the purpose of choosing delegates to represent them in a state convention to be held at Hartford, on the first Tuesday of January next, to take into consideration the doings of the late Federal Convention at Philadelphia, as recommended by Congress. The delegates from the several towns are to be chosen in the same manner that the representatives in the General Assembly are chosen.

PHILADELPHIA, October 24.

We hear with great pleasure, that our German fellow citizens, in the counties inhabited by them on this side the Susquehannah, are to a man in favour of the new federal Government, and that they have rejected with indignation the Addresses of the sixteen absconders and of the Centinel, notwithstanding the latter had the art to keep back from his translation of it the abuse of Dr. Franklin and General Washington.

If the Germans in Franklin and Cumberland counties have not concurred with their brethren on this side the Susquehanna, in rejecting M'Clane and Co. from the Councils of the state, it is owing to their having been deceived by falsehoods and calumnies propagated among them respecting the new Government. It is to be hoped the Germans in Lancaster and York counties will take some pains to undeceive their countrymen, and to recover them from the dominion of the enemies of peace, order, industry and property.

Extract of a letter from New-York, dated October 17, 1787.

Immediately after the death of the Reverend Mr. Muhlenberg, Rector of the German Lutheran Churches of Philadelphia, was announced to the Lutheran congregation of this city, Christ church was immediately ordered by the Vestry to be dressed in full mourning, and the office s of said church to wear mourning six weeks, out of the respect which is due to that venerable character, who was the first founder of their church, as well as all the Lutheran churches on this continent. His whole life was devoted to establish peace and harmony---he effectually banished all discord among the different congregations he headed---In him they have lost a father and a friend."

We are informed by a gentleman from Massachusetts, that Shays has prevailed upon some of the officers of government to solicit his pardon, and there is reason to suppose it will be granted. This rebel, equally defective in spirit and understanding, has shewn that it is in the power of the most contemptible of beings to disturb the peace of society; but we hope his fate will be a lesson to the factious heroes of Tioga and Greenbrier, and convince their adherents, that honesty and industry are preferable to tumult and licentiousness.

Tuesday last, Congress appointed the Hon. Samuel Holden Parsons, John Armstrong, jun. and James M. Varnum, Esquires, to be judges in the western territory of the United States.

On Tuesday last arrived in the Grange, from England, the rev. L. Heath, who is appointed President of Cokesbury College, at Abingdon, in the state of Maryland

*** The Free and Independent Electors of the county of Philadelphia, are requested to meet on FRIDAY, the second day of November next, at the house of WILLIAM LESHER, in Germantown, in order to consult about proper persons to represent this county in the ensuing Convention.

The following speech delivered in Convention, by the Honorable CHARLES PINCKNEY, *Esquire, of Carolina (with a plan of government not much unlike the proposed Federal Constitution) we hope will not be unacceptable to our readers.*

Mr. PRESIDENT,

IT is, perhaps, unnecessary to state to the house the reasons which have given rise to this Convention. The critical and embarrassed situation of our public affairs is, no doubt, strongly impressed upon every mind. I well know, it is an undertaking of much delicacy, to examine into the cause of public disorders, but having been for a considerable time concerned in the administration of the Federal System, and an evidence of its weakness, I trust the indulgence of the house will excuse me, while I endeavour to state with conciseness, as well the motives which induced the measure, as what ought, in my opinion, to be the conduct of the Convention.

There is no one, I believe, who doubts there is something particularly alarming in the present conjuncture. There is hardly a man, in, or out of office, who holds any other language. Our government is despised---our laws are robbed of their respected terrors---their inaction is a subject of ridicule---and their exertion, of abhorrence and opposition----rank and office have lost their reverence and effect---our foreign politics are as much deranged as our domestic œconomy---our friends are slackened in their affection---and our citizens loosened from their obedience. We know neither how to yield or how to enforce---hardly any thing abroad or at home is sound and entire---disconnection and confusion in offices, in state and in parties, prevailing throughout every part of the Union. These are facts, universally admitted and lamented.

This state of things is the more extraordinary, because it immediately follows the close of a war, when we conceived our political happiness was to commence; and because the parties which divided and were opposed to our systems, are known to be, in a great measure, dissolved. No external calamity has visited us---we labour under no taxation that is new or oppressive, nor are we engaged in a war with foreigners, or in disputes with ourselves. To what then, are we to attribute our embarrassments as a Nation? The answer is an obvious one.---To the weakness and impropriety of a government, founded on mistaken principles---incapable of combining the various interests it is intended to unite and support---and destitute of that force and energy, without which no government can exist.

At the time I pronounce in the most decided terms, this opinion of our Confederation, permit me to remark, that considering the circumstances under which it was formed---in the midst of a dangerous and doubtful war, and by men, totally inexperienced in the operations of a system so new and extensive, its defects are easily to be excused. We have only to lament the necessity which obliged us to form it at that time, and wish that its completion had been postponed to a period better suited to deliberation. I confess myself in sentiment with those who were of opinion, that we should have avoided it if possible, during the war. That it ought to have been formed by a Convention of the States, expressly delegated for that purpose, and ratified by the authority of the people. This indispensible power it wants; and is, therefore, without the validity a Federal Constitution ought certainly to have had. In most of the states it has nothing more, strictly speaking, than a legislative authority, and might therefore be said, in some measure, to be under the controul of the State Legislatures.

Independent of this primary defect, of not having been formed in a manner that would have given it an authority paramount to the constitutions and laws of the several states, and rendered it impossible for them to have interfered with its objects or operations, the first principles are destructive, and contrary to those maxims of government which have been received, and approved for ages.

In a government, where the liberties of the people are to be preserved, and the laws well administered, the executive, legislative and judicial, should ever be separate and distinct, and consist of parts, mutually forming a check upon each other. The Confederation seems to have lost sight of this wise distribution of the powers of government, and to have concentered the whole in a single un-operative body, where none of them can be used with advantage or effect. The inequality of the principle of Representation, where the largest and most inconsiderable states have an equal vote in the affairs of the Union; the want of commercial powers; of a compelling clause to oblige a due and punctual obedience to the Confederation; a provision for the admission of new states; for an alteration of the system, by a less than unanimous vote; of a general guarantee, and in short of numerous other reforms and establishments, convince me, that, upon the present occasion, it would be politic in the Convention to determine that they will consider the subject de novo. That they will pay no farther attention to the Confederation, than to consider it as good materials, and view themselves as at liberty to form and recommend such a plan, as, from their knowledge of the temper of the people, and the resources of the states, will be most likely to render our government firm and united. This appears to me, far more proper than to attempt the repair of a system, not only radically defective in principle, but which, if it was possible to give it operation, would prove absurd and oppressive. You must not hesitate to adopt proper measures, under an apprehension the states may reject them. From your deliberations much is expected; the eyes, as well as hopes of your constituents are turned upon the Convention; let their expectations be gratified. Be assured, that, however unfashionable for the moment your sentiments may be, yet, if your system is accommodated to the situation of the Union, and founded in wise and liberal principles, it will, in time, be consented to. An energetic government is our true policy, and it will at last be discovered, and prevail.

Presuming that the question will be taken up de novo, I do not conceive it necessary to go into a minute detail of the defects of the present Confederation, but request permission to submit, with deference to the House, the draught of a Government which I have formed for the Union. The defects of the present will appear in the course of the examination I shall give each article that either materially varies or is new. I well know the Science of Government is at once a delicate and difficult one, and none more so than that of Republics. I confess my situation or experience have not been such as to enable me to form the clearest and justest opinions. The sentiments I shall offer, are the result of not so much reflection as I could have wished. The Plan will admit of important amendments. I do not mean at once to offer it for the consideration of the House, but have taken the liberty of mentioning it, because it was my duty to do so.

Messieurs HALL & SELLERS,

By publishing the enclosed piece in your next paper, you will much oblige A CUSTOMER.

To the FREEMEN *of* Chester County.

PERMIT a person whose interests are inseparable with your own, to advise you on the subject of the approaching election for deputies to the convention. You are perhaps generally acquainted, that at the late county meeting convened at the court house, for the purpose of forming a ticket for persons to represent you in Assembly, the object of the meeting having been accomplished, General Wayne, who presided as Chairman, suggested the expediency of forming a ticket for deputies to the Convention, to obviate the necessity of calling the people together at a future day. This proposition obtained the unanimous concurrence of the meeting, and the committees previously nominated from each of the districts composing the county were ordered to prepare a ticket for the conventional election, which they did, and presented the following ticket to the chair, viz. *Anthony Wayne, William Gibbons, Thomas Bull, John Hannum, Richard Downing*, jun. and *Thomas Cheney*, whose names were separately offered to the meeting at large for their approbation, which was I believe unanimously assented to. I would not wish to flatter the gentlemen who compose this ticket, nor detract from the merits of any other gentleman in the county, when I assert that a better ticket could not have been formed, nor persons at this crisis found, more worthy of your confidence. That this sentiment is prevalent in the county I believe no person will deny, which presages that unanimity which has hitherto characterised the friends of equal liberty, and crowned their efforts with success. But, my friends, the anti-federal junto of East Whiteland, leagued with some others of the same political creed in the county, have issued an advertisement, requesting you to attend at the close of the Supreme Court, to form a ticket, or rather to undo what has been already done, hoping at least to produce some division, and knowing full well that their numbers are too insignificant to effect any thing without previously effeminating divisions among you. There is this consolation to be drawn, that when the county at large comes to be possessed of the knowledge from whence the advertisement alluded to originated, they will treat it with that contempt it deserves. That Judas like complaisence and electioneering indifference which pervaded the anti-federal junto, at the late election, was only a prelude to the vigorous exertions they intend making on the day of election, to defeat the ticket already formed. That you may evince to the world on the day of election, that you are not to be made dupes by any dæmon of discord, is the fervent desire of

AGRICOLA.

Chester county, October 21, 1787.

Philadelphia, October 22, 1787.

An Assize of Bread.

	lb.	oz.
Superfine, fourpenny loaf	1	8
Middlings, fourpenny loaf	1	10
Rye flour, fourpenny loaf	1	14

THAT every person or persons, who shall make any loaf bread of wheat flour for sale in the City, Northern Liberties or Southwark, shall mark all the bread he or she shall bake, with his or her name, and with the following letters, to distinguish the several sorts, viz. the fine white bread with F, and middling bread with M; which several sorts shall be made in the manner following, viz. the fine white bread, of the best wheat flour, and middling bread of good middlings; and in like manner for a greater or less quantity.

PLUNKET FLEESON,
ISAAC HOWELL,
WILLIAM CRAIG,
WILLIAM RUSH.

The different printers in the city are requested to publish the above.

TO BE LET,

A neat Parlour and Room,

Either furnished or unfurnished, in a pleasant part of the city. Enquire of the Printers.

WAS left as a stray, at the place of the subscriber, in Germantown, on Saturday the 13th inst. a dark brown MARE, about four years old, with a blaze in her face, her two hind feet white. The owner is desired to come, prove property, pay charges, and take her away. † JACOB DORLAND.

Germrntown, October 23.

STOLEN out of the subscriber's stable, in Frankford, last night, a chestnut sorrel mare, with a small blaze in her face, she is between 13 and 14 hands high, and 10 years old, trots and paces. Whoever secures the thief and mare, shall have EIGHT DOLLARS reward, or four Dollars for the mare only, with reasonable charges.

10th Month 19th, 1787. † HENRY PAUL.

THREE DOLLARS Reward.

STRAYED away, on the 6th of September, 1787, from the Golden Swan, in Third-street, Philadelphia, a dark brown middle size milch COW, about eight years old, with a white spot in her forehead and some white on her back and belly, and large straight horns, is branded with the letters A S on each horn, and had a rope round her horns. Whoever takes up said cow, and brings her to the owner, shall have the above reward, and reasonable charges, paid by

‡ ABRAHAM SHERIDAN.

Philadelphia, September 29. 1787.

BY virtue of a precept from David Rittenhouse, Esq; sole Trustee of the General Loan Office of (the late province, now state) of Pennsylvania, to me directed, will be exposed to public sale, at the Old Coffee-House, in the city of Philadelphia, on Wednesday, the 31st of October next, at 6 o'clock in the evening, a certain lot of Ground, lying on Germantown main street, containing in front 80 feet, and in depth 780 feet, and is bounded towards the east with said street, to the south with Joseph Shippen's house and lot, towards the west with Green-street, and towards the northwest by Joseph Shippen's lot. Taken in execution as the property of Joseph Shippen, and to be sold, by

JOSEPH COWPERTHWAIT, Sheriff.

For SALE, by

DANIEL BENEZET,

At his STORE in Arch-street, four doors below the corner of Second-street,

ENGLISH sheet iron 16, 20 and 24 inches broad, best double FF gunpowder in quarter casks, a large assortment of sheet brass and brass wire, black sattins and pelongs, silk and linen, handkerchiefs, German scythes, straw knives and whetstones, boxes of quart and pint glass tumblers, superfine moreens, corduroys, Leghorn hats, calimancoes, boxes of Dresden tea-cups and saucers, temple spectacles, pewter table and tea spoons, shoe buckles, sleeve buttons, pins, needles, double screw gimblets, Dutch looking glasses, metal buttons, shoemakers knives, dotted awl blades, shoe tacks, curtain rings, watch chrystals, fusee chains and pendants, brown hempen thread for manufacturers, bar iron by the ton, &c. &c.

N. B. He has to LET, a very large, commodious, Brick STORE, situate in Second-street, between Arch and Race-streets, suitable for a wholesale grocer, dry good merchant, or for a vendue store. October 16. 2 m.

STERLING & NORCROSS,

MERCHANTS, IN BURLINGTON,

Having this day, by mutual consent, dissolved their Partnership in Trade,

REQUEST all persons indebted to them, especially those of a long standing, on bond, bill, note or book account, to call and settle their respective ballances, to prevent trouble. And every person having any just demands against them, are desired to bring in their accounts for liquidation and payment, to

Sept. 4, 1787. §4w JAMES STERLING.

NUMBER I.

On the Fœderal Government, and first on the ſafety of the people, from the reſtraints impoſed on the Preſident.

IT is impoſſible for an honeſt and feeling mind, of any nation or country whatever, to be inſenſible to the preſent circumſtances of America. Were I an Baſt Indian, or a Turk, I ſhould conſider this ſingular ſituation of a part of my fellow creatures as the moſt curious and intereſting. Intimately connected with the country, as a citizen of the union, I confeſs it entirely engroſſes my mind and feelings.

To take a proper view of the ground on which we ſtand, it may be neceſſary to recollect the manner in which the United States were originally ſettled and eſtabliſhed. Want of charity in the religious ſyſtems of Europe, and of juſtice in their political governments, were the principal moving cauſes, which drove the emigrants of various countries to the American continent. The congregationaliſts, quakers, preſbyterians and other Britiſh diſſenters, the catholics of England and Ireland, the hugonots of France, the German lutherans, calviniſts, and moravians, with ſeveral other ſocieties, eſtabliſhed themſelves in the different colonies, thereby laying the ground of that catholiciſm in eccleſiaſtical affairs, which has been obſervable ſince the late revolution. Religious liberty naturally promotes correſponding diſpoſitions in matters of government. The conſtitution of England, *as it ſtood on paper*, was one of the freeſt at that time in the world; and the American colonies conſidered themſelves as entitled to the fulleſt enjoyment of it. Thus, when the ill-judged diſcuſſions of late times in England brought into queſtion the rights of this country, as it ſtood connected with the Britiſh crown, we were found more ſtrongly impreſſed with their importance, and accurately acquainted with their extent, than the wiſeſt and moſt learned of our brethren beyond the Atlantic. When the greateſt names in parliament inſiſted on the power of that body over the commerce of the colonies, and even the right to bind us in all caſes whatſoever, America, ſeeing that it was only *another form of tyranny*, inſiſted upon the immutable truth, that taxation and repreſentation are inſeparable; and, while a deſire of harmony and other conſiderations induced her into an acquieſcence in the commercial regulations of Great-Britain, it was done from the declared neceſſity of the caſe, and with a cautious, full, and abſolute ſaving of our voluntarily-ſuſpended rights. The parliament was perſevering, and America continued *firm*, till hoſtilities and open war commenced, and finally *the late revolution cloſed the conteſt for-ever.*

'Tis evident, from this ſhort detail, and the reflections which ariſe from it, that the quarrel between the United States and the parliament of Great-Britain did not ariſe ſo much from objections to the form of government, *though undoubtedly a better one by far is now within our reach*, as from a difference concerning certain important rights, reſulting from the eſſential principles of liberty, which their conſtitution preſerved to all the ſubjects actually reſiding within the realm. It was not aſſerted by America, that the people of *the iſland of Great-Britain* were ſlaves, but that *we*, though poſſeſſed *abſolutely* of the ſame rights, were not admitted to enjoy *an equal degree of freedom.*

When the declaration of independence compleated the ſeparation between the two countries, new governments were neceſſarily eſtabliſhed. Many circumſtances led to the adoption of the republican form, among which was the *predilection of the people.* In deviſing the frames of government, it may have been difficult to avoid extremes oppoſite to the vices of that we had juſt rejected; nevertheleſs, many of the ſtate conſtitutions we have choſen are truly excellent. Our misfortunes have been, *that in the firſt inſtance we adopted no national government at all*; but were kept together by common danger only; *and that in the confuſions of a civil war, we framed a federal conſtitution, now univerſally admitted to be inadequate to the preſervation of liberty, property, and the union.* The queſtion is not, then, how far our ſtate conſtitutions are good, or otherwiſe—the object of our wiſhes is, *to amend and ſupply the evident and allowed errors and defects of the federal government.* Let us conſider awhile, that which is now propoſed to us----let us compare it with the ſo much boaſted Britiſh form of government, and ſee *how much more* it favours the people, and *how completely* it ſecures their rights, remembering, at the ſame time, that we did not diſſolve our connection with that country ſo much on account of its conſtitution, as the perverſion and mal-adminiſtration of it.

In the firſt place, let us look at the nature and powers of the head of that country, and thoſe of the *oſtenſible* head of ours.

The Britiſh king is *the great biſhop* or ſupreme head of an eſtabliſhed church, with an immenſe patronage annexed. In this capacity he commands a number of votes in the houſe of lords, by creating biſhops, who, beſides their great incomes, have votes in that aſſembly, and are judges in the laſt reſort. Theſe prelates have alſo many honorable and *lucrative places* to beſtow, and thus from their wealth, learning, dignities, powers, and patronage, give a great luſtre and *an enormous influence* to the crown.

In America, our preſident will not only be *without* theſe influencing advantages, *but they will be in the poſſeſſion of the people at large, to ſtrengthen their hands in the event of a conteſt with him.* All religious funds, honors and powers, are in the gift of numberleſs unconnected, diſunited and contending corporations, wherein the principle of *perfect equality univerſally prevails.* In ſhort, danger from *eccleſiaſtical tyranny*, that long ſtanding and ſtill remaining *curſe* of the people---that *ſacrilegious engine* of royal power in ſome countries---can be feared by no man in the United States. In Britain, their king is *for life*---in America, our Preſident will always be *one of the people* at the end of four years. In that country, the king is *hereditary*, and may be an idiot, a knave, or a tyrant by nature, or ignorant from neglect of his education, yet cannot be removed, for "*he can do no wrong.*" Theſe are the expreſs words of their conſtitution. In America, as the Preſident is to be one of the people at the end of his ſhort term, ſo will *he* and his fellow citizens remember, *that he was originally one of the people; and that he is created by their breath.* Further, he cannot be an idiot, probably not a knave or tyrant, for thoſe whom nature makes ſo diſcover it before the age of thirty-five, until which period he cannot be elected. It appears, we have not admitted that he can do no wrong, but have rather preſuppoſed he may and will ſometimes do wrong, by providing for *his impeachment, his trial, and his peaceable and complete removal.*

In England the king has a power to create members of the upper houſe, who are judges in the higheſt court, as well as legiſlators. Our Preſident not only cannot make members of the Senate, but their creation, like his own, is by *the people*, thro' their repreſentatives: and a member of Aſſembly may and will be as *certainly* diſmiſſed at the end of his year, for electing a weak or wicked Senator, as for any other blunder or miſconduct.

The king of England has legiſlative power, while our Preſident can only uſe it when the other ſervants of the people are divided. But in all great caſes affecting the national intereſts or ſafety, his modified and reſtrained power muſt give way to the ſenſe of two thirds of the legiſlature. In fact it amounts to no more, than a ſerious duty impoſed upon him to requeſt both houſes to re-conſider any matter on which he entertains doubts or feels apprehenſions; and here the people have a ſtrong hold upon him *from his ſole and perſonal reſponſibility.*

The Preſident of the upper-houſe (or the chancellor) in England, is appointed by their king, while our Vice-Preſident, who is choſen *by the people*, through the electors and the Senate, *is not at all dependent on the Preſident*, but may exerciſe equal powers on ſome occaſions. In all royal governments, *an helpleſs infant* or an inexperienced youth may wear the crown. *Our Preſident muſt be matured by the experience of years*, and being born among us, his character at thirty-five muſt be fully underſtood. Wiſdom, virtue and active qualities of mind and body can alone make him *the firſt ſervant* of a free and enlightened people.

Our Preſident will fall very far ſhort indeed of any prince in his annual income, which will not be hereditary, but *the abſolute allowance of the people, paſſing through the hands of their other ſervants from year to year, as it becomes neceſſary.* There will be *no burdens* on the nation, to provide for his heir, or other branches of his family. 'Tis probable, from the ſtate of property in America, and other circumſtances, that *many citizens will exceed him in ſhew and expence*, thoſe dazzling trappings of kingly rank and power. He will have no authority to make a treaty, without *two thirds of the ſenate*, nor can he appoint ambaſſadors or other great officers *without their approbation*, which will remove the idea of *patronage and influence*, and of perſonal obligation and dependence. The appointment of even the inferior officers may be taken out of his hands by an act of congreſs at any time; he can create *no nobility or titles of honor*, nor take away offices during good behaviour. *His perſon* is not ſo much protected as that of a member of the houſe of repreſentatives; for he may be proceeded againſt like any other man *in the ordinary courſe of law.* He appoints *no officer of the ſeparate ſtates.* He will have no influence *from placemen in the legiſlature*, nor can he prorogue or diſſolve it. He will have no power *over the treaſures of the ſtate*; and, laſtly, as he is *created* through the electors, by the people at large, *he muſt ever look up to the ſupport of his creators.* From ſuch a ſervant, with powers ſo limited and tranſitory, there can be no danger, eſpecially when we conſider the ſolid foundations on which our national liberties are immoveably fixed, by the other proviſions of this excellent conſtitution. Whatever of dignity or authority he poſſeſſes, is *a delegated part of their majeſty and their political omnipotence, tranſiently veſted in him by the people themſelves, for their own happineſs.*

NUMBER II.

On the ſafety of the people, from the reſtraints impoſed upon the Senate.

WE have ſeen that the late honorable convention, in deſignating the nature of the chief executive office of the United States, *have deprived it of all the dangerous appendages of royalty*, and provided for *the frequent expiration of its limited powers*---As our preſident bears *no reſemblance to a king*, ſo we ſhall ſee the ſenate have *no ſimilitude to nobles.*

Firſt, then, not being hereditary, their *collective* knowledge, wiſdom, and virtue are not precarious, *for by theſe qualities alone they are able to obtain their offices*; and they will have none of the *peculiar* follies and vices of thoſe men, *who poſſeſs power merely becauſe their fathers held it before them*, for they will be educated (under equal advantages, and with equal proſpects) among and on a footing with the other ſons of a free people. If we recollect the characters, who have, at various periods, filled the ſeats of congreſs, we ſhall find this expectation *perfectly reaſonable. Many young* men of genius, and *many characters of more matured abilities, without fortunes*, have been honored with that truſt. *Wealth has had but few repreſentatives there, and thoſe have been generally poſſeſſed of reſpectable perſonal qualifications.* There have alſo been many inſtances of perſons, not eminently endowed with mental qualities, who have been ſent thither *from a reliance on their virtues, public and private*---As the ſenators *are ſtill to be elected by the legiſlatures of the ſtates*, there can be no doubt of *equal ſafety and propriety* in their future appointments; eſpecially as no further pecuniary qualification is required by the conſtitution.

They can hold *no other office* civil or military under the United States, nor can they join *in making proviſion for themſelves*, either by creating new places, or encreaſing the emoluments of old ones. As their ſons are not to ſucceed them, they will not be induced to aim at an increaſe or perpetuity of their powers, at the expence of the liberties of the people, of which *thoſe ſons* will be a part. They poſſeſs *a much ſmaller ſhare of the judicial power* than the upper houſe in Britain, for they are not, as there, the higheſt court in civil affairs. Impeachments *alone* are the caſes recognizable before them, and in what other place could matters of that nature be ſo properly and ſafely determined? The judges of the fœderal courts will owe their appointments to the preſident and ſenate, therefore may not feel ſo perfectly free *from favour, affection and influence*, as the upper houſe, who receive their power from the people, through their ſtate repreſentatives, and are immediately reſponſible to thoſe aſſemblies, and finally to the nation at large---Thus we ſee, when a daring or dangerous offender is brought to the bar of public juſtice, the people, *who alone can impeach him by their immediate repreſentatives*, will cauſe him to be tried, *not by judges appointed in the heat of the occaſion*, but by two thirds of *a ſelect body, choſen a long time before, for various purpoſes, by the collected wiſdom of their ſtate legiſlatures.* From a pretence or affectation of extraordinary purity and excellence of character, *their word of honour* is the ſanction, under which theſe high courts, in other countries, have given their ſentence---but with us, like the other judges of the union, like the reſt of the people, *of which they are never to forget they are a part*, it is required that they be *on oath.*

No ambitious, undeſerving or inexperienced *youth* can acquire a ſeat in this houſe by means of the moſt enormous wealth, or moſt powerful connections, *till thirty years have ripened his abilities, and fully diſcovered his merits to his country*---a more rational ground of preference ſurely than mere property.

The ſenate, though more independent of the people, as to *the free exerciſe of their judgement and abilities*, than the houſe of repreſentatives, by the longer term of their office, muſt be older and more experienced men, and veſted with leſs effective power; for the public treaſures, *the ſinews of the ſtate*, cannot be called forth by their original motion. They may indeed *reſtrain the profuſion or errors* of the houſe of repreſentatives, *but they cannot take any of the neceſſary meaſures to raiſe a national revenue.*

The people, through the electors, *preſcribe* them ſuch a preſident as ſhall be *beſt qualified to controul them.*

They can only, by conviction on impeachment, *remove and incapacitate a dangerous officer*, but the puniſhment of him as a criminal *remains within the province of the courts of law, to be conducted under all the ordinary forms and precautions*, which exceedingly diminiſhes the importance of their judicial powers. They are *detached*, as much as poſſible, from *local* prejudices in favour of their reſpective ſtates, by having *a ſeparate and independent vote*, for the ſenſible and conſcientious uſe of which every member will find his *perſon, honor and character* ſeriouſly bound---He cannot ſhelter himſelf, *under a vote in behalf of his ſtate*, among his immediate colleagues. As there are only *two*, he cannot be voluntarily or involuntarily governed *by the majority of the deputation*---He will be obliged, by wholeſome proviſions, *to attend his public duty*, and thus in great national queſtions *muſt give a vote*, of the honeſty of which he will find it is neceſſary to convince his conſtituents.

The ſenate *muſt always receive the exceptions of the preſident* againſt any of their legiſlative acts, which, without *ſerious deliberation and ſufficient reaſons*, they will ſeldom diſregard. They will alſo feel a conſiderable check *from the conſtitutional powers of the ſtate legiſlatures*, whoſe rights they will not be diſpoſed to infringe, ſince they are the bodies *to which they owe their exiſtence*, and are moreover to remain *the immediate guardians of the people.*

And laſtly, the Senate will feel *the mighty check of the Houſe of Repreſentatives*---a body *ſo truly popular and pure in its election*, ſo intimately connected, by its intereſts and feelings, *with the people at large*, ſo guarded againſt *corruption and influence*---ſo much, from its nature, *above all apprehenſions*, that it *muſt ever be able to maintain the high ground aſſigned to it by the fœderal conſtitution.*

NUMBER III.

On the ſafety of the people, from the nature of the Houſe of Repreſentatives.

IN purſuing the conſideration of the new fœderal conſtitution, it remains now to examine the nature and powers of the Houſe of Repreſentatives---*the immediate delegates of the people.*

Each member of *this truly popular aſſembly* will be choſen by about ſix thouſand electors, *by the poor as well as the rich.* No decayed or venal borough will have an *unjuſt* ſhare in their determinations---no old *Sarum* will ſend thither a repreſentative *by the voice of a ſingle elector.** As we ſhall have no royal miniſters to purchaſe votes, ſo we ſhall have no votes for ſale; *for the ſuffrages of ſix thouſand enlightened and independent freemen are above all price.* When the increaſing population of the country ſhall render the body too large at the rate of one member for every thirty thouſand perſons, they will be returned at the greater rate of one for every forty or fifty thouſand, which will render the electors *ſtill more incorruptible.* For this regulation is only deſigned to prevent a *ſmaller number* than thirty thouſand from having a repreſentative. Thus we ſee a proviſion follows, that no ſtate ſhall have leſs than one member, for if a new and greater number than thirty thouſand ſhould hereafter be fixed on, which ſhould exceed the whole of the inhabitants of any ſtate, ſuch ſtate, without this wholeſome proviſion, would loſe its voice in the Houſe of Repreſentatives---a circumſtance which the conſtitution renders *impoſſible.*

The people of England, whoſe Houſe of Commons is filled with military and civil officers and penſioners, ſay their liberties would be perfectly ſecured by triennal Parliaments. *With us, no placeman can ſit among the repreſentatives of the people, and two years are the conſtitutional term of their exiſtence.* Here, again, leſt wealth, powerful connections, or even *the unwarineſs of the people* ſhould place in this important truſt an undeſerving, unqualified, or inexperienced youth, the wiſdom of the Convention has propoſed *an abſolute incapacity till the age of twenty-five.* At twenty-one a young man is made the guardian of his *own* intereſt, *but he cannot, for a few years more, be entruſted with the affairs of the nation.* He muſt be an inhabitant of the ſtate that elects him, that he may be intimately acquainted with their *particular* circumſtances---The Houſe of Repreſentatives is not, *as the Senate*, to have a Preſident choſen *for them* from *without* their body, *but are to elect their Speaker from their own number*---They will alſo appoint *all their other officers.* In great ſtate caſes, they will be *the grand inqueſt of the nation*, for they poſſeſs *the ſole and uncontroulable power of impeachment.* They are neither *to wait the call*, nor *abide the prorogations and diſſolutions of a perverſe or ambitious Prince*, for they are to meet at leaſt once in every year, and ſit on adjournments to be agreed on between themſelves and the other ſervants of the people. Should they differ in opinion, the Preſident, who is *a temporary fellow-ſervant*, and not their hereditary maſter, has *a mediatorial power* to adjuſt it for them, *but cannot prevent their conſtitutional meeting within the year.* They can compel the attendance of their members, that their public duty may not be *evaded* in times of difficulty or danger---The vote of each repreſentative can be always known, as well as the proceedings of the houſe, *that ſo the people may be acquainted with the conduct of thoſe in whom they repoſe ſo important a truſt.* As was obſerved of the Senators, they cannot make *new* offices *for themſelves*, nor increaſe, *for their own benefit*, the emoluments of old ones, *by which the people will be exempted from needleſs additions to the public expences, on ſuch ſordid and mercenary principles*---They are not to be reſtrained from *the firm and plain language*, which becomes the independent repreſentatives of freemen, *for there is to be a perfect liberty of ſpeech.* Without their conſent, *no monies can be obtained, no armies raiſed, no navies provided.* They, *alone*, can originate bills for drawing forth the revenues of the union, and *they will have a negative upon every legiſlative act of the other houſe.*---So far, in ſhort, as the ſphere of fœderal juriſdiction extends, they will be controulable *only*

* *This is the caſe with that Britiſh Borough,*

By the people, and, in contentions with the other branch, ſo far as they ſhall be right, *they muſt ever finally prevail.*

Such, my countrymen, are *ſome* of *the cautionary proviſions* of the frame of government your faithful convention have ſubmitted to your conſideration---ſuch *the foundations of peace, liberty and ſafety*, which have been laid by their unwearied labours---They have guarded you againſt *all ſervants* but thoſe " whom choice and common good ordain," againſt *all maſters*, " ſave preſerving Heaven."

NUMBER IV.

The ſecurity for national ſafety and happineſs, reſulting from other parts of the Fœderal Government.

IN conſidering the reſpective powers of the Preſident, the Senate and the Houſe of Repreſentatives, under the fœderal conſtitution, we have ſeen *a part of the wholeſome precautions*, which are contained in the new ſyſtem. Let us examine what *further ſecurities for the ſafety and happineſs of the people* are contained in the general ſtipulations and proviſions.

The United States guarantee to every ſtate in the union *a ſeparate republican form of government*. From thence it follows, that any man or body of men, however rich or powerful, who ſhall make an alteration in the form of government of any ſtate, *whereby the powers thereof ſhall be attempted to be taken out of the hands of the people at large*, will ſtand *guilty of high treaſon*; or ſhould a *foreign* power ſeduce or overawe the people of any ſtate, ſo as to cauſe them to veſt in the families of any ambitious citizens or foreigners the powers of hereditary governors, *whether as Kings or Nobles*, that ſuch inveſtment of powers would be *void in itſelf*, and every perſon *attempting* to execute them would alſo be *guilty of treaſon*.

No *religious* teſt is ever to be required of any officer or ſervant of the United States. The people may employ *any wiſe and good citizen* in the execution of the various duties of the government. In Italy, Spain and Portugal, *no proteſtant* can hold a public truſt. In England *every preſbyterian, and other perſon not of their eſtabliſhed church*, is incapable of holding an office. No ſuch *impious* deprivation of the rights of men can take place under the new fœderal conſtitution. The convention has the honor of propoſing *the firſt public act*, by which any nation has ever *diveſted itſelf* of a power, every exerciſe of which is *a treſpaſs on the Majeſty of Heaven.*

No qualification *in monied or landed property* is required by the propoſed plan; nor does it admit any preference from the prepoſterous diſtinctions of *birth and rank*. The office of the Preſident, a Senator, and a Repreſentative, and every other place of *power or profit*, are therefore open *to the whole body of the people*. Any wiſe, informed and upright man, be his property what it may, *can exerciſe the truſts and powers of the ſtate*, provided he poſſeſſes the moral, religious and political virtues which are neceſſary to ſecure the confidence of his fellow citizens.

The importation of ſlaves from any foreign country is, by a clear implication, held up to the world as equally inconſiſtent with the diſpoſitions and the duties of the people of America. A ſolid foundation is laid for exploding the principles of negro ſlavery, in which many good men of all parties in Pennſylvania, and throughout the union, have already concurred. The *temporary* reſervation of any particular matter muſt ever be deemed an admiſſion that it ſhould be done away. This appears to have been well underſtood. In addition to the arguments drawn from liberty, juſtice and religion, opinions againſt this practice, *founded in ſound policy*, have no doubt been urged. Regard was neceſſarily paid to the peculiar ſituation of our ſouthern fellow-citizens; but they, on the other hand, have not been inſenſible of *the delicate ſituation of our national character on this ſubject.*

The people will remain, under the propoſed conſtitution, *the fountain of power and public honor*. The Preſident, the Senate, and Houſe of Repreſentatives, will be *the channels* through which the ſtream will flow---but it will flow *from the people*, and from them *only*. *Every office*, religious, civil and military, will be either their *immediate gift*, or it will come *from them* through the hands of *their ſervants*. And this, as obſerved before, will be guaranteed to them under the ſtate conſtitutions which they reſpectively approve; for they *cannot* be royal forms, *cannot* be ariſtocratical, but *muſt* be republican.

The people of thoſe ſtates which have *faithfully* diſcharged their duty to the union will be no longer ſubjected *alone* to the weight of *the public debts*. Proper arrangements will call forth the *juſt* proportion of their ſiſter ſtates, and our national character will *again* be as unſtained, *as it was once exalted*. Elevation to independence, *with the loſs of our good name*, is only to be *conſpicuous in diſgrace*. The liberties of a people involved in debt are as *uncertain* as the liberty of an idividual in the ſame ſituation. *Their virtue is more precarious.* The unfortunate citizen muſt yield to the operation of the laws, while a bankrupt nation too eaſy annihilates *the ſacred obligations of gratitude and honor*, and becomes *execrable and infamous*. I cannot refrain from reminding my fellow-citizens of our *near approach* to that deplorable ſituation, which *muſt* be our miſerable condition, if the defects of the old confederation remain without amendment. The propoſed conſtitution will cure the evil, and *reſtore* us to our rank among mankind.

Laws, made after the commiſſion of the fact, have been a dreadful engine in the hands of tyrannical governors. Some of the moſt virtuous and ſhining characters in the world have been put to death, by laws *formed to render them puniſhable*, for parts of their conduct which *innocence permitted*, and to which *patriotiſm impelled them.* Theſe have been called *ex poſt facto* laws, and are exploded by the new ſyſtem. If a time of public contention ſhall hereafter arrive, *the firm and ardent friends to liberty* may know the length to which they can puſh their noble oppoſition, on the foundation of the laws. Should their country's cauſe impel them further, they will be acquainted with the hazard, and uſing thoſe arms which Providence has put into their hands, will make a ſolemn appeal to " *the power above.*"

The deſtruction of the ancient republics was occaſioned in every inſtance by their being ignorant of *a great political poſition, which was left for America to diſcover and eſtabliſh.* Self-evident as the truth appears, we find no friend to liberty in ancient Greece or Rome aſſerting, that *taxation and repreſentation were inſeparable.* The Roman citizens, proud of their own liberty, impoſed, in the freeſt times of the commonwealth, the moſt grievous burdens on their wretched provinces. At other times we find thouſands of their citizens, tho' reſiding within the walls of Rome, deprived of legiſlative repreſentatives. When America aſſerted *the novel truth*, Great-Britain, tho' boaſting herſelf as *alone free* among the modern nations, denied it by her legiſlature, and endeavoured to refute it by her arms---the reaſoning of tyrants. But the attempt was vain, for *the voice of truth* was heard above the thunders of the war, and *reached the ears of all nations.* Henceforth the people of the earth will conſider *this poſition* as the *only* rock on which they can found the temple of liberty, *that taxation and repreſentation are inſeparable.* Our new conſtitution carries it into execution on the moſt enlarged and liberal ſcale, for a Repreſentative will be choſen by *ſix thouſand* of his fellow-citizens, a Senator by *half a ſovereign ſtate*, a Preſident by *a whole nation.*

The old fœderal conſtitution contained many of *the ſame things*, which from error or diſingenuouſneſs are urged againſt the new one. *Neither* of them have a bill of rights, *nor does either* notice the liberty of the preſs, becauſe they are already provided for *by the ſtate conſtitutions*; and relating only to *perſonal* rights, they could not be mentioned *in a contract among ſovereign ſtates.*

Both the old and new fœderal conſtitutions, and indeed *the conſtitution of Pennſylvania*, admit of courts in which no uſe is made of a jury. The board of property, the court of admiralty, and the high court of errors and appeals, in the ſtate of Pennſylvania, as alſo the court of appeals under the old confederation, exclude juries. *Tryal by jury will therefore be in the expreſs words of the Pennſylvania conſtitution*, " *as heretofore*,"---almoſt always uſed, though ſometimes omitted. Trials for lands lying in any ſtate between perſons reſiding in ſuch ſtate, for bonds, notes, book debts, contracts, treſpaſſes, aſſumptions, and all other matters between two or more citizens of any ſtate, will be held in the ſtate courts by juries, *as now.* In theſe caſes the fœderal courts *cannot interfere.* But when a diſpute ariſes between the citizens of any ſtate about lands lying out of the bounds *thereof*, or when a trial is to be had between the citizens of any ſtate and thoſe of another, or the government of another, the private citizen will not be obliged to go into a court *conſtituted by the ſtate*, with which, or with the citizens of which, *his diſpute is. He can appeal to a diſintereſted fœderal court.* This is ſurely a *great advantage*, and promiſes a *fair trial*, and an *impartial judgment.* The trial by jury is *not excluded* in theſe fœderal courts. In all *criminal* caſes, where the property, liberty or life of the citizen is at ſtake, he has the benefit of a jury. If convicted on impeachment, which is never done by a jury in any country, he cannot be fined, impriſoned or puniſhed, but only may be *diſqualified* from doing public miſchief by loſing his office, and his capacity to hold another. If the nature of his offence, beſides its danger to his country, ſhould be *criminal* in itſelf—ſhould involve a charge of fraud, murder or treaſon—he may be tried for ſuch crime, but cannot be convicted *without a jury.* In trials about property in the fœderal courts, which can only be *as above ſtated*, there is nothing in the new conſtitution *to prevent a trial by jury.* No doubt it will be the mode in every caſe, wherein it is practicable. This will be adjuſted by law, and it could not be done otherwiſe. In ſhort, the ſphere of juriſdiction for the fœderal courts *is limited*, and that ſphere only is ſubject to the regulations of our fœderal government. The known principles of juſtice, the attachment to trial by jury whenever it can be uſed, the inſtructions of the ſtate legiſlatures, the inſtructions of the people at large, the operation of the fœderal regulations on the property of a preſident, a ſenator, a repreſentative, a judge, as well as on that of a private citizen, will certainly render thoſe regulations as favorable as poſſible to *property; for life and liberty are put more than ever into the hands of the juries.* Under the *preſent* conſtitution of all the ſtates, a public officer may be condemned *to impriſonment or death* on impeachment, *without a jury*; but the new fœderal conſtitution protects the accuſed, till he ſhall be convicted, from the hands of power, by rendering *a jury the indiſpenſible judges of all crimes.*

The *influence* which *foreign* powers may attempt to exerciſe in our affairs was *foreſeen*, and a wholeſome proviſion *has been made againſt it*; for no perſon holding an office under the United States is permitted to enjoy *any foreign honors, powers or emoluments.*

The apprehenſions of the people have been excited, perhaps by perſons with good intentions, about the powers of the new government to raiſe an army. Let us conſider this point with moderation and candor. As enemies will ſometimes inſult us, invade our country, and capture our property, it is clear a power in our government to oppoſe, reſtrain or deſtroy them, is neceſſary to our honor, ſafety and exiſtence. The military ſhould, however, be regarded *with a watchful eye*; for it is a profeſſion that is liable to dangerous perverſion. But the powers veſted in the fœderal government *do not go the length* which has been ſaid. *A ſtanding army is not granted or intended*, for there can be no proviſion for its continuing three years, much leſs for its *permanent eſtabliſhment.* Two years are the utmoſt time for which the money can be given. It will be under all the reſtrictions which *wiſdom and jealouſy can ſuggeſt*, and the original grant of the ſupplies muſt be made by the Houſe of Repreſentatives, *the immediate delegates of the people.* The Senate and Preſident, who alſo derive their power from *the people*, appoint the officers; and the heads of the departments, *who muſt ſubmit their accounts to the whole legiſlature*, are to pay and provide them, *as ſhall be directed by the laws that ſhall contain the conditions of the grant.* The militia, *who are in fact the effective part of the people at large*, will render many troops *quite unneceſſary.* They will form a *powerful check* upon the regular troops, and will generally be ſufficient *to overawe them*—for our *detached* ſituation will ſeldom give occaſion to raiſe an army, though *a few ſcattered companies* may often be neceſſary. But whenever, *even on the moſt obvious reaſons*, an army ſhall be raiſed, the ſeveral ſtates will be called, *by the nature of things*, to attend to the condition of *the militia.* Republican jealouſy, *the guardian Angel of theſe ſtates*, will watch the motions of our military citizens, even though they will be the ſoldiers of a free people. There is a wide difference between the troops of ſuch a commonwealth as ours, *founded on equal and unalterable principles*, and thoſe of a regal government, where ambition and oppreſſion are *the profeſſion of the king.* In the firſt caſe, a military officer is *the occaſional ſervant of the people, employed for their defence*; in the ſecond, he is *the ever ready inſtrument* to execute the ſchemes of conqueſt or oppreſſion, with which the mind of his royal maſter may be diſturbed.

Obſervations have been made on the power given to the fœderal Government in regard to the elections of Repreſentatives and Senators. The regulations of theſe elections are, by the firſt part of the clauſe, to be preſcribed by the ſtate legiſlatures, *who are certainly the proper bodies, if they will always execute the duty.* But in caſe the union or the public ſafety ſhould be *endangered* by an omiſſion of this duty, as in the caſe of Rhode-Iſland, then the legiſlature of the United States can name for the people a convenient time, and do other matters neceſſary *to enſure the free exerciſe of their right of election.* The exception, in regard to the places of chuſing *Senators*, was made from due reſpect to *the ſovereignty* of the ſtate legiſlatures, who are to elect the Senators, and whoſe place of meeting *ought not to be preſcribed to them by any authority*, except indeed, as we always muſt, *by the authority of the people.* This power given to the fœderal legiſlature is no more than what is poſſeſſed by the governments of all the ſtates. The conſtitution of Pennſylvania permits two thirds of ſuch cities and counties, as ſhall elect repreſentatives, to exerciſe all the powers of the General Aſſembly, " *as fully and amply as if the whole were preſent*," ſhould any part of the ſtate neglect or refuſe to perform their duty in this particular. In ſhort, it is a power *neceſſary to preſerve the ſocial compact of each ſtate and the confederation of the United States.*

Beſides the ſecurities for the liberties of the people ariſing out of the fœderal government, they are guarded by *their ſtate conſtitutions, and by the nature of things in the ſeparate ſtates.* The Governor or Preſident in each commonwealth, the Councils, Senates, Aſſemblies, Judges, Sheriffs, Grand and Pettit Juries, Officers of Militia, Clergy and Lay Officers of all churches, ſtate and county Treaſurers, Prothonotaries, Regiſters, Preſidents and other officers of Univerſities, Colleges and Academies, Wardens of ports and cities, Burgeſſes of towns, Commiſſioners of counties, County Lieutenants, and many other officers of power and influence, *will ſtill be choſen within each ſtate, without any poſſible interference of the fœderal government.* The ſeparate ſtates will alſo chooſe *all the members of the legiſlative and executive branches of the United States.* The people at large in each ſtate will chooſe their fœderal repreſentatives, and, unleſs ordered otherwiſe by the ſtate legiſlatures, may chooſe the electors of the Preſident and Vice-Preſident of the Union. And laſtly, the legiſlatures of the ſtates will have the election of the Senate, as they have heretofore had of the Members of Congreſs. Let us then, with a candor *worthy of the ſubject*, aſk ourſelves, whether it can be feared, that *a majority* of the Repreſentatives, each of whom will be choſen by ſix thouſand enlightened freemen, can betray their country?—Whether *a majority* of the Senate, each of whom will be choſen by the legiſlature of a free, ſovereign and independent ſtate, *without any ſtipulations in favour of wealth or the contemptible diſtinctions of birth or rank*, and who will be cloſely obſerved *by the ſtate legiſlatures*, can deſtroy our liberties, *controuled as they are too by the houſe of repreſentatives?*---or whether *a temporary limited executive officer*, watched by *the fœderal Repreſentatives*, by *the Senate*, by *the State Legiſlatures*, by *his perſonal enemies* among the people of his *own* ſtate, by the jealouſy of the people of *rival* ſtates, and by *the whole of the people* of the Union, can ever endanger our Freedom?

Permit me, my fellow-citizens, to cloſe theſe obſervations by remarking, that there is no ſpirit of arrogance in the new fœderal conſtitution. It addreſſes you with becoming modeſty, admitting that it may contain errors. Let us give it a trial; and when experience has taught its miſtakes, *the people, whom it preſerves abſolutely all powerful*, can reform and amend them. That I may be perfectly, underſtood, I will acknowledge its acceptance by all the ſtates, without delay, is the *ſecond* wiſh of my heart. *The firſt is, that our country may be virtuous and free.*

AN AMERICAN CITIZEN.

PROCLAMATION.

IN purſuance of a writ of Venire Facias, under the hands and ſeals of the honorable Thomas M'Kean, Eſq; Doctor of Laws, Chief Juſtice of the Supreme Court of the Commonwealth of Pennſylvania, and the honorable William Auguſtus Atlee and Jacob Ruſh, Eſqrs. Juſtices aſſigned, appointed and commiſſioned to hear, try and determine all and every the indictments and preſentments made and taken for and concerning all treaſons, murders, and ſuch other crimes as by the laws of the ſaid State are made capital or felonies of death, and all other crimes, injuries and offences whatſoever, as alſo to deliver the goals of the perſons who are or ſhall be committed for the crimes aforeſaid, to the Sheriff of the county of Cheſter directed: PUBLIC NOTICE is hereby given to all thoſe, who will proſecute or follow againſt any ſuch priſoners, that they be at the Court-houſe in Goſhen, at a court of Oyer and Terminer and general goal delivery, there to be held on the 29th day of this inſtant, then and there to proſecute againſt them as it ſhall be juſt; and that all Juſtices of the Peace, Coroners and Conſtables, within the ſaid county, be then and there, in their proper perſons, with their rolls, records, inquiſitions, examinations, and other their remembrances, to do thoſe things which to their ſeveral offices belong in that behalf to be done.

Dated at Cheſter County, the tenth day of October, Anno Domini, One Thouſand Seven Hundred and Eighty-ſeven, and in the twelfth year of the Independence of the United States of America.

EZEKIEL LEONARD, Sheriff.

GOD SAVE THE COMMONWEALTH.

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ADDRESSES

TO THE

CITIZENS OF *PENNSYLVANIA.*

Calculated to ſhew the Safety—Advantages—and Neceſſity of adopting the propoſed CONSTITUTION OF THE UNITED STATES.

In which are included Anſwers to the Objections that have been made to it.

"IT is indiſpenſible to the happineſs of the indivi-
" dual ſtates, that there ſhould be lodged ſome-
" where a ſupreme power, to regulate and govern the
" general concerns of the republic, without which the
" union cannot be of long duration.
" That ſtate alone which puts itſelf in oppoſition to
" the aggregate wiſdom of the continent, and follows
" ſuch miſtaken and pernicious councils, will be reſpon-
" ſible for ALL THE CONSEQUENCES."

WASHINGTON's Circular Letter.

From the PENNSYLVANIA GAZETTE.

Meſſrs HALL & SELLERS,

MR. Findley, Mr. Whitehill, and others, members of the late General Aſſembly, making a diſorderly ſeceſſion from the Houſe, with intention to put an end to its deliberations upon the ſubject of calling a State Convention, for the purpoſe of conſidering the ſyſtem offered for the general government of the United States, they have, in a public addreſs, reſted their juſtification on theſe two points:

1ſt. The irregularity of taking up the conſtitution framed by the Convention, without the ſpecial permiſſion of Congreſs—the Aſſembly having, in the appointment of deputies to the Convention, proceeded but upon the recommendation of Congreſs.

2d. The unfitneſs of the deputies appointed—The addreſſers lamenting at the time, when the choice was made, that they were all citizens of Philadelphia, and none of them *calculated* to repreſent the landed intereſt of the ſtate.

Having been alſo members of the houſe, and competent to judge with reſpect to theſe points of juſtification, we beg leave to ſtate all the neceſſary facts concerning them, for the information of the public.

As to the firſt—on a communication of the propoſition of Virginia, for holding a General Convention, a bill for the appointment of the deputies was reported by a committee, of which Mr. Findley and Mr. Whitehill were members, and paſſed into a law on the 30th of December laſt. The law, as ſet forth in the preamble, ſtood upon "*Repreſentations of Congreſs heretofore made*," and on the propoſition of Virginia; but the ſpecial recommendation of Congreſs, to ſend the deputies to the propoſed Convention, made no part of the preamble; this recommendation not having paſſed Congreſs until the 21ſt day of February following, when that body, for the firſt time, recognized the Convention. In the next ſeſſion, on the 28th of March, a ſupplementary law paſſed the houſe; but its only object was to add another deputy to the number already choſen, and its only reference was to the original act.

As the repreſentations of Congreſs ſpoken of in the preamble to the law, of the firſt ſeſſion, were only ſuch as had been frequently made of the weakneſs of the general government, and of the neceſſity that aroſe of endowing it with greater powers, but gave no ſpecial licence to the ſtates to ſend deputies to the Convention propoſed by the ſtate of Virginia, it follows, that in the appointment of the deputies the Aſſembly acted independently of Congreſs, or of its recommendation. It is in vain, for the reaſons beforementioned, that the addreſſers attempt, by general reference to the tranſactions of both ſeſſions, to cover their aſſertions upon this head—it is an artifice more unworthy than the moſt naked falſehood!

As little can be ſaid in ſupport of the ſecond, their diſapprobation of the deputies, which a ſtate of nominations and votes will evince. The original intention of the houſe was to ſend ſeven deputies, though afterwards that number was, by the ſupplementary law, increaſed to eight. To ſupply the ſeven places, twelve perſons ſtood in nomination: they, with the votes for each were as follow:

* Jared Ingerſoll	61	John Bayard	25
Charles Pettit	25	* Thomas Fitzſimons	37
* Robert Morris	63	* James Wilſon	35
* George Clymer	63	* Governeur Morris	33
* Thomas Mifflin	63	Benjamin Franklin	10
Thomas M'Kean	26	William Findley	2

Of whom thoſe marked with an * were elected.

As to four of theſe perſons, there appears from the votes to have been a general agreement, 63 being the number compoſing the houſe; ſo that no real controverſy took place but as to the remaining three---Between theſe oppoſite three then muſt have lain the queſtion with the houſe, with reſpect to the fitneſs to repreſent the landed intereſt; and for this they might all have been fit, except in the circumſtance of city reſidence, the candidates generally holding conſiderable landed property within the ſtate, the whole body of candidates, Mr. Findley excepted, being inhabitants of Philadelphia; and as to that gentleman, the ſolitary nominee from the country, he ſeems then, from the ſtate of the votes, to have been out of the queſtion, which is the more extraordinary, if, as the addreſſers muſt be underſtood, a country reſidence was indiſpenſable to repreſent the landed intereſt of the ſtate.

But the truth is, that at the time of election no ſuch lamentation was made by the ſixteen, or any others, that the candidates were citizens of Philadelphia, or otherwiſe unqualified to repreſent the landed intereſt; for it is well known, that both Mr. Findley and Mr. Whitehill were of opinion that the choice ſhould be confined to the city of Philadelphia and its neighbourhood, as it would not be convenient for perſons living at a diſtance to attend a Convention! the former declaring a ſeat there would not ſuit him, which, perhaps, may account for the fewneſs of his votes.

This being the ſtate of facts relating to theſe points, can we ſuppoſe a depravation of mind equal to ſuch impoſitions and deceptions, or ought we not rather to ſuppoſe, in theſe inſtances, that the addreſſers were not at the pains to read what was prepared to their hands?

It is urged in argument againſt the houſe, that the deputies having exceeded the terms of their powers, that the ſyſtem they agreed to ought not to be taken up. It is not eaſy to determine to what the powers of the deputation from Pennſylvania, and from the other ſtates (for they are in the ſame predicament) did really extend; but any argument brought from an exceſs in the exerciſe of the powers, againſt the object of them, cannot be that of good ſenſe or integrity. A man of underſtanding, or a good patriot, will examine only whether or not the ſyſtem actually offered is calculated to better the condition of our country. Indeed one would think, the ſyſtem being no more than a propoſition, which none are bound to yield to, though all ought to conſider, that the convention have not really tranſgreſſed their powers; they certainly might make whatever propoſitions they pleaſed.

The addreſſers reſent the hauſh treatment of the houſe to two of their body, who were forced back to their ſeats by ſome of the citizens from without. They ſuffered no ſuch treatment; on the contrary, the houſe ſhewed a wonderful good temper on ſo provoking an occaſion. When a miſdemeanor had been committed, of a kind, which, though it has hitherto eſcaped even the ſlighteſt puniſhment, is deſerving of the higheſt—When the addreſſers had, by their conduct, violated the firſt condition of all political ſociety, which obliges the few to give way to the many---When they had offended in the double capacity of citizens of the United States and of Pennſylvania, in ſetting a dangerous example of riot and turbulence to the continent; and as much as lay in their feeble means, attempting to diſſolve the government under which they live.

WILLIAM WILL,
THOMAS FITZSIMMONS,
GEORGE CLYMER,
JACOB HILTZHEIMER,
DANIEL CLYMER,
WILLIAM ROBINSON, jun.

Dr. Franklin's not having been choſen at the firſt election, was owing to a miſunderſtanding among the members, with reſpect to his willingneſs to ſerve, but on better information, in the next ſeſſion, it was the unanimous deſire of the houſe that he ſhould be added, which gave occaſion to the ſupplementary law.

Philadelphia, October 6, 1787.

To the Freemen *of* Pennſylvania.

A PUBLICATION has lately appeared in ſeveral of our papers, ſaid to be ſigned by *ſixteen* Members of the late Aſſembly of Pennſylvania, which challenges a few remarks.

The firſt remark that occurs is, that the paper was neither written by any *one* of them, nor ſigned by *all* of them. They are too illiterate to compoſe ſuch an Addreſs, and it can be proved that ſeveral of the perſons whoſe names are ſubſcribed to it left the city on Saturday, before there was time to collect the materials of the addreſs, or to receive it from the *perſon* who is well known to have written it.

A ſecond remark that occurs in this place is, that there was a fixed reſolution of the antifœderal junto to oppoſe the fœderal government, *long before* it made its appearance. In the month of July laſt, at a meeting of this junto, it was agreed, "that if the new conſtitution of Congreſs interfered in the leaſt with the conſtitution of Pennſylvania, it ought to be oppoſed and rejected, and that even the name of a WASHINGTON ſhould not carry it down." Happily it requires a reduction of the enormous expences, and ſome other alterations of our conſtitution. Hence the reaſon of their oppoſition. Had it been much more perfect, or had it, like the Jewiſh theocracy, been framed by the hand of the SUPREME BEING himſelf, it would have been equally unpopular among them, ſince it interferes with their expenſive hobby-horſe, the Conſtitution of Pennſylvania.

The Addreſs, and all the oppoſition to the new government, originate from the officers of government, who are afraid of leſſing their ſalaries or places. This will not ſurprize thoſe of us, who remember the oppoſition which our Independence received from a few officers of government in the years 1775 and 1776. Recollect the FRIENDLY ADDRESSES and the CATOS, which appeared in thoſe years in all our news-papers. Remember too, that theſe publications came from men of as great underſtandings, and of more extenſive influence, than Randolph, Maſon or Gerry. Which of them is fit to be named with Hutchinſon, Bernard, Tryon or Kemp?

The Addreſs begins with two palpable falſhoods. "We lamented (it ſays) at the time, that a majority of our legiſlature appointed men to repreſent this ſtate, who were all citizens of Philadelphia, and none of them calculated to repreſent the landed intereſt of Pennſylvania."

It is a well known fact, that a ſeat in the Convention was offered to William Findley, and that he objected to it, becauſe no wages were to be connected with it. It became, therefore, a matter of œconomy, as well as convenience, to fill up the delegation with members from Philadelphia. If this was a crime, the ſixteen concurred in it, for they *all* voted for five of the delegation, and for three other men who were at that time citizens of Philadelphia, viz. Thomas M'Kean, Charles Pettit and John Bayard, Eſquires.

The ſtory of the delegates from Pennſylvania having no intereſt in the landed property of the ſtate is equally groundleſs with the foregoing. They are all land holders, and one of them alone ownse greater landed eſtate than the whole ſixteen abſconders; and has for many years paſt punctually and juſtly paid more taxes on it, than are paid by the whole antifœderal junto—and, unfortunately, for the ſupport of the men who compoſe this junto.

The Addreſs confeſſes that the ſixteen abſconded, to prevent the majority of the Houſe from calling a Convention, to conſider the new form of government. Is this right, Freemen of Pennſylvania?—Is it agreeable to democratic principles, that the *Minority* ſhould govern the *Majority?*—Is not this ariſtocracy in good earneſt?—Is it not tyranny, that a *few* ſhould govern the *many?*—By abſconding, and thereby obſtructing the public buſineſs, they diſſolved the conſtitution. They annihilated the firſt principles of government, and threw the commonwealth into a *ſtate of nature*. Under theſe circumſtances, the citizens of Philadelphia appealed to the *firſt* of nature's laws, viz. ſelf-preſervation. They ſeized two of the ſixteen abſconders, and compelled them to form a Houſe by their attendance. In this they acted wiſely and juſtly—as much ſo as the man who ſeizes a highwayman, who is about to rob him. If they were wrong in this action, then the men who drove Galloway, Skinner, Delancey, and other miſcreants, from our ſtates, by force, in the year 1776, were wrong likewiſe. What juſtified all the outrages that were committed againſt the tories in the beginning of the war? Nothing but the diſſolution of our governments.—What was the foundation of the diſſolution of theſe governments? Nothing but a reſolution of Congreſs.—What determined us to eſtabliſh new governments on the ruins of the old? Nothing but a recommendation of Congreſs.—Why, then, do theſe men fly in the faces of the Convention and Congreſs?—It was from ſimilar bodies of men, ſimilarly conſtituted, that their preſent form of government derived its independence. It cannot exiſt without a Congreſs—it is meet, therefore, that it ſhould harmonize with it.

The objections to the fœderal government are weak, falſe and abſurd. The neglect of the Convention to mention the *Liberty of the Preſs* aroſe from a reſpect to the ſtate conſtitutions, in each of which this palladium of liberty is ſecured, and which is guaranteed to them as an eſſential part of their republican forms of government. But ſuppoſing this had not been done, the *Liberty of the Preſs* would have been an inherent and political right, as long as nothing was ſaid *againſt* it. The Convention have ſaid nothing to ſecure the privilege of eating and drinking, and yet no man ſuppoſes that right of nature to be endangered by their ſilence about it.

Conſidering the variety of intereſts to be conſulted, and the diverſity of human opinions upon all ſubjects, and eſpecially the ſubject of government, it is a matter of aſtoniſhment, that the government formed by the Convention has ſo few faults. With theſe faults, it is a phœnomenon of human wiſdom and virtue, ſuch as the world never ſaw before. It unites in its different parts all the advantages, without any of the diſadvantages of the three well known forms of government, and yet it preſerves the attributes of a republic. And laſtly, if it ſhould be found to be faulty in any particular, it provides an eaſy and conſtitutional method of curing its faults.

I anticipate the praiſe with which this government will be viewed by the friends of liberty and mankind in Europe. The philoſophers will no longer conſider a republic as an impracticable form of government; and pious men of all denominations will thank God for having provided, in our fœderal conſtitution, an Ark, for the preſervation of the remains of the juſtice and liberties of the world.

Freemen of Pennſylvania, conſider the characters and ſervices of the men who made this government. Behold the venerable FRANKLIN, in the 70th year of his age, cooped up in the cabin of a ſmall veſſel, and expoſing himſelf to the dangers of a paſſage on the ocean, crouded with Britiſh cruiſers, in a winter month, in order to ſolicit from the court of France that aid, which finally enabled America to cloſe the war with ſo much ſucceſs and glory—and then ſay, is it poſſible that this man would ſet his hand to a conſtitution that would endanger your liberties?——From this aged ſervant of the public, turn your eyes to the illuſtrious American hero, whoſe name has ennobled human nature—I mean our beloved WASHINGTON.---Behold him, in the year 1775, taking leave of his happy family and peaceful retreat, and flying to the relief of a diſtant, and at that time an unknown part of the American continent.---See him uniting and cementing an army, compoſed of the citizens of thirteen ſtates, into a band of brothers.---Follow him into the field of battle, and behold him the *firſt* in danger, and the *laſt* out of it.---Follow him into his winter quarters, and ſee him ſharing in the hunger, cold and fatigues of every ſoldier in his army.--Behold his fortitude in adverſity, his moderation in victory, and his tenderneſs and reſpect upon all occaſions for the civil power of his country.--But above all, turn your eyes to that illuſtrious ſcene he exhibited at Annapolis in 1783, when he reſigned his commiſſion, and laid his ſword at the feet of Congreſs, and afterwards reſumed the toils of an American farmer on the banks of Potowmack.---Survey, my countrymen, theſe illuſtrious exploits of patriotiſm and virtue,---and then ſay, is it poſſible that the deliverer of our country would have recommended an unſafe form of government for that liberty, for which he had for eight long years contended with ſuch unexampled firmneſs, conſtancy and magnanimity?

Pardon me, if I here aſk---where were the ſixteen abſconders and their adviſers, while theſe illuſtrious framers of our fœderal conſtitution were expoſing their lives, and exerting their talents for your ſafety and happineſs?--Some of them took ſanctuary in offices, under the conſtitution of Pennſylvania, from the dangers of the year 1776, and the reſt of them were either inactive, or known only on the muſter-rolls of the militia during the war.

Look around you, my fellow citizens, and behold the confuſion and diſtreſſes which prevail in every part of our country. Behold, from the weakneſs of the government

of Maſſachuſetts, the leaders of rebellion making laws to exempt *themſelves* from puniſhment. See, in Rhode-Iſland, the bonds of ſociety and the obligations of morality diſſolved by paper money and tender laws.----See the flames of courthouſes in Virginia, kindled by debtors to ſtop the courſe of juſtice.----Hear the complaints of our farmers, whoſe unequal and oppreſſive taxes in every part of the country amount to nearly the rent of their farms.----Hear too the complaints of every claſs of public creditors.----Look at the records of bankruptcies, that fill every news-paper.----Look at the melancholy countenances of our mechanics, who now wander up and down the ſtreets of our cities without employment.---See our ſhips rotting in our harbours, or excluded from nearly all the ports in the world.---Liſten to the inſults that are offered to the American name and character in every court of Europe.---See order and honor every where proſtrate in the duſt, and religion with all her attending train of virtues, about to quit our continent for ever.---View theſe things, my fellow citizens, and then ſay that we do not require a new, a protecting, and efficient fœderal government, if you can. The picture I have given you of the ſituation of our country is not an exaggerated one. I challenge the boldeſt enemy of the fœderal conſtitution to diſprove any one part of it.

It is not to be wondered at, that *ſome* of the rulers and officers of the government of Pennſylvania are oppoſed to the new conſtitution of the United States. It will leſſen their power, number and influence---for it will neceſſarily reduce the expences of our government from nearly 50,000 l. to 10,000 l. or, at moſt, 15,000 l. a year.—I am very happy in being able to except many worthy officers of our government from concurring in this oppoſition. Their names, their conduct, and their characters, are well known to their Fellow Citizens, and I hope they will all be rewarded by a continuance and accumulation of public favour and confidence.

The deſign of this Addreſs is not to inflame the paſſions of my fellow citizens. I know the feelings of the people of Pennſylvania are ſufficiently keen. It becomes me not, therefore (to uſe the words of the Addreſs of the ſixteen abſconders) to add to them, by dwelling longer "upon the diſtreſſes and dangers of our country.---I have laid a real ſtate of facts before you. It becomes you, therefore, to judge for yourſelves."

The abſconders have endeavoured to ſanctify their falſe and ſeditious publication by a ſolemn addreſs to the Supreme Being. I ſhall conclude the truths I have written, by adopting ſome of their own words, with a ſhort addition to them.---

"May HE, who alone has dominion over the paſſions and underſtandings of men, preſerve you from "the influence of rulers, who have upon many occaſions "*held fellowſhip with iniquity, and eſtabliſhed miſchief by* "*law.*"

The author of this Addreſs is one of the FOUR THOUSAND Citizens of Philadelphia, and its neighbourhood, who ſubſcribed the petition to the late Aſſembly, immediately to call a Convention, in order to adopt the propoſed

FOEDERAL CONSTITUTION.

The following is the ſubſtance of Mr. WILSON'S *Speech on the principles of the Fœderal Conſtitution, delivered on Saturday, the 6th inſtant, at the State Houſe.*

Mr. Chairman and Fellow Citizens,

HAVING received the honor of an appointment to repreſent you in the late convention, it is, perhaps, my duty to comply with the requeſt of many gentlemen whoſe characters and judgments I ſincerely reſpect, and who have urged, that this would be a proper occaſion to lay before you any information which will ſerve to explain and elucidate the principles and arrangements of the conſtitution, that has been ſubmitted to the conſideration of the United States. I confeſs that I am unprepared for ſo extenſive and ſo important a diſquiſition; but the inſidious attempts which are clandeſtinely and induſtriouſly made to pervert and deſtroy the new plan, induce me the more readily to engage in its defence; and the impreſſions of four months conſtant attention to the ſubject have not been ſo eaſily effaced, as to leave me without an anſwer to the objections which have been raiſed.

It will be proper however, before I enter into the refutation of the charges that are alledged, to mark the leading diſcrimination between the ſtate conſtitutions, and the conſtitution of the United States. When the people eſtabliſhed the powers of legiſlation under their ſeparate governments, they inveſted their repreſentatives with every right and authority which they did not in explicit terms reſerve; and therefore, upon every queſtion reſpecting the juriſdiction of the Houſe of Aſſembly, if the frame of government is ſilent, the juriſdiction is efficient and complete. But in delegating fœderal powers, another criterion was neceſſarily introduced, and the congreſſional authority is to be collected, not from tacit implication, but from the poſitive grant expreſſed in the inſtrument of union. Hence it is evident, that in the former caſe every thing which is not reſerved is given, but in the latter the reverſe of the propoſition prevails, and every thing which is not given is reſerved. This diſtinction being recognized, will furniſh an anſwer to thoſe who think the omiſſion of a bill of rights a defect in the propoſed conſtitution: for it would have been ſuperfluous and abſurd to have ſtipulated with a fœderal body of our own creation, that we ſhould enjoy thoſe privileges, of which we are not diveſted either by the intention or the act, that has brought that body into exiſtence. For inſtance, the liberty of the preſs, which has been a copious ſource of declamation and oppoſition, what controul can proceed from the fœderal government to ſhackle or deſtroy that ſacred palladium of national freedom? If, indeed, a power ſimilar to that which has been granted for the regulation of commerce, had been granted to regulate literary publications, it would have been as neceſſary to ſtipulate that the liberty of the preſs ſhould be preſerved inviolate, as that the impoſt ſhould be general in its operation. With reſpect likewiſe to the particular diſtrict of ten miles, which is to be made the ſeat of fœderal government, it will undoubtedly be proper to obſerve this ſalutary precaution, as there the legiſlative power will be excluſively lodged in the Preſident, Senate, and Houſe of Repreſentatives of the United States. But this could not be an object with the convention, for it muſt naturally depend upon a future compact, to which the citizens immediately intereſted will, and ought to be parties; and there is no reaſon to ſuſpect that ſo popular a privilege will in that caſe be neglected. In truth then, the propoſed ſyſtem poſſeſſes no influence whatever upon the preſs, and it would have been merely nugatory to have introduced a formal declaration upon the ſubject—nay, that very declaration might have been conſtrued to imply that ſome degree of power was given, ſince we undertook to define its extent.

Another objection that has been fabricated againſt the new conſtitution is expreſſed in this diſingenuous form---"the trial by jury is aboliſhed in civil caſes." I muſt be excuſed, my fellow citizens, if, upon this point, I take advantage of my profeſſional experience to detect the futility of the aſſertion. Let it be remembered then, that the buſineſs of the fœderal convention was not local, but general; not limited to the views and eſtabliſhments of a ſingle ſtate, but co-extenſive with the continent, and comprehending the views and eſtabliſhments of thirteen independent ſovereignties. When, therefore, this ſubject was in diſcuſſion, we were involved in difficulties which preſſed on all ſides, and no precedent could be diſcovered to direct our courſe. The caſes open to a trial by jury differed in the different ſtates, it was therefore impracticable on that ground to have made a general rule. The want of uniformity would have rendered any reference to the practice of the ſtates idle and uſeleſs; and it could not, with any propriety, be ſaid, that "the trial by jury ſhall be as heretofore," ſince there has never exiſted any fœderal ſyſtem of juriſprudence to which the declaration could relate. Beſides, it is not in all caſes that the trial by jury is adopted in civil queſtions, for cauſes depending in courts of admiralty, ſuch as relate to maritime captures, and ſuch as are agitated in courts of equity, do not require the intervention of that tribunal. How then was the diſcrimination to be drawn? The convention found the taſk too difficult for them, and they left the buſineſs as it ſtands, in the fulleſt confidence that no danger could poſſibly enſue, ſince the proceedings of the ſupreme court are to be regulated by the congreſs, which is a faithful repreſentation of the people; and the oppreſſion of government is effectually barred, by declaring that in all criminal caſes the trial by jury ſhall be preſerved.

This conſtitution, it has been further urged, is of a pernicious tendency, becauſe it tolerates a ſtanding army in time of peace---This has been a topic of popular declamation; and yet I do not know a nation in the world, which has not found it neceſſary and uſeful to maintain the appearance of ſtrength in a ſeaſon of the moſt profound tranquility. Nor is it a novelty with us, for, under the preſent articles of confederation, congreſs certainly poſſeſſes this reprobated power, and the exerciſe of that power is proved at this moment by her cantonments along the banks of the Ohio. But what would be our national ſituation were it otherwiſe? Every principle of policy muſt be ſubverted, and the government muſt declare war, before they are prepared to carry it on. Whatever may be the provocation, however important the object in view, and however neceſſary diſpatch and ſecrecy may be, ſtill the declaration muſt precede the preparation, and the enemy will be informed of your intention, not only before you are equipped for an attack, but even before you are fortified for a defence. The conſequence is too obvious to require any further delineation, and no man, who regards the dignity and ſafety of his country, can deny the neceſſity of a militray force, under the controul and with the reſtrictions which the new conſtitution provides.

Perhaps there never was a charge made with leſs reaſon, than that which predicts the inſtitution of a baneful ariſtocracy in the ſœderal ſenate. This body branches into two characters, the one legiſlative, and the other executive. In its legiſlative character it can effect no purpoſe, without the co-operation of the houſe of repreſentatives, and in its executive character, it can accompliſh no object without the concurrence of the preſident. Thus fettered, I do not know any act which the ſenate can of itſelf perform, and ſuch dependence neceſſarily precludes every idea of influence and ſuperiority. But I will confeſs, that in the organization of this body a compromiſe between contending intereſts is diſcernable; and when we reflect how various are the laws, commerce, habits, population, and extent of the confederated ſtates, this evidence of mutual conceſſion and accommodation ought rather to command a generous applauſe, than to excite jealouſy and reproach. For my part, my admiration can only be equalled by my aſtoniſhment, in beholding ſo perfect a ſyſtem formed from ſuch heterogeneous materials.

The next accuſation I ſhall conſider, is that which repreſents the fœderal conſtitution as not only calculated, but deſignedly framed, to reduce the ſtate governments to mere corporations, and eventually to annihilate them. Thoſe who have employed the term corporation upon this occaſion, are not perhaps aware of its extent. In common parlance, indeed, it is generally applied to petty aſſociations for the eaſe and conveniency of a few individuals; but in its enlarged ſenſe, it will comprehend the government of Pennſylvania, the exiſting union of the ſtates, and even this projected ſyſtem is nothing more than a formal act of incorporation. But upon what pretence can it be alledged that it was deſigned to annihilate the ſtate governments? For I will undertake to prove, that upon their exiſtence depends the exiſtence of the fœderal plan. For this purpoſe, permit me to call your attention to the manner in which the Preſident, Senate, and Houſe of Repreſentatives, are propoſed to be appointed. The Preſident it to be choſen by electors, nominated in ſuch manner as the legiſlature of each ſtate may direct; ſo that if there is no legiſlature, there can be no electors, and conſequently the office of Preſident cannot be ſupplied. The Senate is to be compoſed of two Senators from each ſtate, choſen by the legiſlature; and therefore, if there is no legiſlature, there can be no Senate. The Houſe of Repreſentatives, is to be compoſed of members choſen every ſecond year by the people of the ſeveral ſtates, and the electors in each ſtate ſhall have the qualifications requiſite for electors of the moſt numerous branch of the ſtate legiſlature,---unleſs, therefore, there is a ſtate legiſlature, that qualification cannot be aſcertained, and the popular branch of the fœderal conſtitution muſt likewiſe be extinct. From this view, then, it is evidently abſurd to ſuppoſe that the annihilation of the ſeparate governments will reſult from their union; or, that having that intention, the authors of the new ſyſtem would have bound their connection with ſuch indiſſoluble ties. Let me here advert to an arrangement highly advantageous, for you will perceive, without prejudice to the powers of the legiſlature in the election of Senators, the people at large will acquire an additional privilege in returning members to the Houſe of Repreſentatives---whereas, by the preſent confederation, it is the legiſlature alone that appoints the delegates to Congreſs.

The power of direct taxation has likewiſe been treated as an improper delegation to the fœderal government; but when we conſider it as the duty of that body to provide for the national ſafety, to ſupport the dignity of the union, and to diſcharge the debts contracted upon the collective faith of the ſtates for their common benefit, it muſt be acknowledged, that thoſe upon whom ſuch important obligations are impoſed, ought in juſtice and in policy to poſſeſs every means requiſite for a faithful performance of their truſt. But why ſhould we be alarmed with viſionary evils? I will venture to predict, that the great revenue of the United States muſt, and always will be raiſed by impoſt, for, being at once leſs obnoxious, and more productive, the intereſt of the government will be beſt promoted by the accommodation of the people. Still, however, the objects of direct taxation ſhould be within reach in all caſes of emergency; and there is no more reaſon to apprehend oppreſſion in the mode of collecting a revenue from this reſource, than in the form of an impoſt, which, by univerſal aſſent, is left to the authority of the fœderal government. In either caſe, the force of civil inſtitutions will be adequate to the purpoſe; and the dread of military violence, which has been aſſiduouſly diſſeminated, muſt eventually prove the mere effuſion of a wild imagination, or a factious ſpirit. But the ſalutary conſequences that muſt flow from thus enabling the government to receive and ſupport the credit of the union, will afford another anſwer to the objections upon this ground. The ſtate of Pennſylvania particularly, which has encumbered itſelf with the aſſumption of a great proportion of the public debt, will derive conſiderable relief and advantage; for, as it was the imbecility of the preſent confederation which gave riſe to the funding law, that law muſt naturally expire, when a competent and energetic fœderal ſyſtem ſhall be ſubſtituted—the ſtate will then be diſcharged from an extraordinary burthen, and the national creditor will find it to be his intereſt to return to his original ſecurity.

After all, my fellow citizens, it is neither extraordinary or unexpected, that the conſtitution offered to your conſideration ſhould meet with oppoſition. It is the nature of man to purſue his own intereſt, in preference to the public good; and I do not mean to make any perſonal reflections, when I add, that it is the intereſt of a very numerous, powerful, and reſpectable body to counteract and deſtroy the excellent work produced by the late convention. All the officers of government, and all the appointments for the adminiſtration of juſtice and the collection of the public revenue, which are transfered from the individual to the aggregate ſovereignty of the ſtates, will neceſſarily turn the ſtream of influence and emolument into a new channel. Every perſon therefore, who either enjoys, or expects to enjoy, a place of profit under the preſent eſtabliſhment, will object to the propoſed innovation; not, in truth, becauſe it is injurious to the liberties of his country, but becauſe it affects his ſchemes of wealth and conſequence. I will confeſs, indeed, that I am not a blind admirer of this plan of government, and that there are ſome parts of it, which, if my wiſh had prevailed, would certainly have been altered. But, when I reflect how widely men differ in their opinions, and that every man (and the obſervation applies likewiſe to every ſtate) has an equal pretenſion to aſſert his own, I am ſatisfied that any thing nearer to perfection could not have been accompliſhed. If there are errors, it ſhould be remembered, that the ſeeds of reformation are ſown in the work itſelf, and the concurrence of two thirds of the Congreſs may at any time introduce alterations and amendments. Regarding it then, in every point of view, with a candid and diſintereſted mind, I am bold to aſſert, that it is the beſt form of government which has ever been offered to the world.

Mr. Wilſon's ſpeech was frequently interrupted with loud and unanimous teſtimonies of approbation, and the applauſe which was reiterated at the concluſion evinced the general ſenſe of its excellency, and the conviction which it had impreſſed upon every mind.

NUMBER I.

On the Fœderal Government, and firſt on the ſafety of the people, from the reſtraints impoſed on the Preſident.

IS it impoſſible for an honeſt and feeling mind, of any nation or country whatever, to be inſenſible to the preſent circumſtances of America. Were I an Eaſt Indian, or a Turk, I ſhould conſider this ſingular ſituation of a part of my fellow creatures as the moſt curious and intereſting. Intimately connected with the country, as a citizen of the union, I confeſs it entirely engroſſes my mind and feelings.

To take a proper view of the ground on which we ſtand, it may be neceſſary to recollect the manner in which the United States were originally ſettled and eſtabliſhed. Want of charity in the religious ſyſtems of Europe, and of juſtice in their political governments, were the principal moving cauſes, which drove the emigrants of various countries to the American continent. The congregationaliſts, quakers, preſbyterians and other Britiſh diſſenters, the catholics of England and Ireland, the hugonots of France, the German lutherans, calviniſts, and moravians, with ſeveral other ſocieties, eſtabliſhed themſelves in the different colonies, thereby laying the ground of that catholiciſm in eccleſiaſtical affairs, which has been obſervable ſince the late revolution. Religious liberty naturally promotes correſponding diſpoſitions in matters of government. The conſtitution of England, *as it ſtood on paper*, was one of the freeſt at that time in the world; and the American colonies conſidered themſelves as entitled to the fulleſt enjoyment of it. Thus, when the ill-judged diſcuſſions of late times in England brought into queſtion the rights of this country, as it ſtood connected with the Britiſh crown, we were found more ſtrongly impreſſed with their importance, and accurately acquainted with their extent, than the wiſeſt and moſt learned of our brethren beyond the Atlantic. When the greateſt names in parliament inſiſted on the power of that body over the commerce of the colonies, and even the right to bind us in all caſes whatſoever, America, ſeeing that it was only *another form of tyranny*, inſiſted upon the immutable truth, that taxation and repreſentation are inſeparable; and, while a deſire of harmony and other conſiderations induced her into an acquieſcence in the commercial regulations of Great-Britain, it was done from the declared neceſſity of the caſe, and with a cautious, full, and abſolute ſaving of our voluntarily-ſuſpended rights. The parliament was perſevering, and America continued *firm*, till hoſtilities and open war commenced, and finally *the late revolution cloſed the conteſt for ever.*

'Tis evident, from this ſhort detail, and the reflections which ariſe from it, that the quarrel between the United States and the parliament of Great-Britain did not ariſe ſo much from objections to the form of government, *though undoubtedly a better one by far is now within our reach*, as from a difference concerning certain important rights, reſulting from the eſſential principles of liberty,

which their conſtitution preſerved to all the ſubjects actually reſiding within the realm. It was not aſſerted by America, that the people of *the iſland of Great Britain* were ſlaves, but that *we*, though poſſeſſed *abſolutely* of the ſame rights, were not admitted to enjoy *an equal degree of freedom.*

When the declaration of independence completed the ſeparation between the two countries, new governments were neceſſarily eſtabliſhed. Many circumſtances led to the adoption of the republican form, among which was the *predilection of the people.* In deviſing the frames of government, it may have been difficult to avoid extremes oppoſite to the vices of that we had juſt rejected; nevertheleſs, many of the ſtate conſtitutions we have choſen are truly excellent. Our misfortunes have been, *that in the firſt inſtance we adopted no national government at all*; but were kept together by common danger only; *and that in the confuſions of a civil war, we framed a federal conſtitution, now univerſally admitted to be inadequate to the preſervation of liberty, property, and the union.* The queſtion is not, then, how far our ſtate conſtitutions are good, or otherwiſe—the object of our wiſhes is, *to amend and ſupply the evident and allowed errors and defects of the federal government.* Let us conſider awhile, that which is now propoſed to us---let us compare it with the ſo much boaſted Britiſh form of government, and ſee *how much more* it favours the people, and *how completely* it ſecures their rights, remembering, at the ſame time, that we did not diſſolve our connection with that country ſo much on account of its conſtitution, as the perverſion and mal-adminiſtration of it.

In the firſt place, let us look at the nature and powers of the head of that country, and thoſe of the *oſtenſible* head of ours.

The Britiſh king is *the great biſhop* or ſupreme head of an eſtabliſhed church, with an immenſe patronage annexed. In this capacity he commands a number of votes in the houſe of lords, by creating biſhops, who, beſides their great incomes, have votes in that aſſembly, and are judges in the laſt reſort. Theſe prelates have alſo many honorable and *lucrative places* to beſtow, and thus from their wealth, learning, dignities, powers, and patronage, give a great luſtre and *an enormous influence* to the crown.

In America, our preſident will not only be *without* theſe influencing advantages, *but they will be in the poſſeſſion of the people at large, to ſtrengthen their hands in the event of a conteſt with him.* All religious funds, honors and powers, are in the gift of numberleſs unconnected, diſunited and contending corporations, wherein the principle of *perfect equality univerſally prevails.* In ſhort, danger from *eccleſiaſtical tyranny*, that long ſtanding and ſtill remaining *curſe* of the people---that *ſacrilegious engine* of royal power in ſome countries---can be feared by no man in the United States. In Britain, their king is *for life*---in America, our Preſident will always be *one of the people* at the end of four years. In that country, the king is *hereditary*, and may be an idiot, a knave, or a tyrant by nature, or ignorant from neglect of his education, yet cannot be removed, for "*he can do no wrong.*" Theſe are the expreſs words of their conſtitution. In America, as the Preſident is to be one of the people at the end of his ſhort term, ſo will *he* and his fellow citizens remember, *that he was originally one of the people; and that he is created by their breath.* Further, he cannot be an idiot, probably not a knave or tyrant, for thoſe whom nature makes ſo diſcover it before the age of thirty five, until which period he cannot be elected. It appears, we have not admitted that he can do no wrong, but have rather preſuppoſed he may and will ſometimes do wrong, by providing for *his impeachment, his trial, and his peaceable and complete removal.*

In England the king has a power to create members of the upper houſe, who are judges in the higheſt court, as well as legiſlators. Our Preſident not only cannot make members of the Senate, but their creation, like his own, is by *the people*, thro' their repreſentatives: and a member of Aſſembly may and will be as *certainly* diſmiſſed at the end of his year, for electing a weak or wicked Senator, as for any other blunder or miſconduct.

The king of England has legiſlative power, while our Preſident can only uſe it when the other ſervants of the people are divided. But in all great caſes affecting the national intereſts or ſafety, his modified and reſtrained power muſt give way to the ſenſe of two thirds of the legiſlature. In fact it amounts to no more, than a ſerious duty impoſed upon him to requeſt both houſes to re-conſider any matter on which he entertains doubts or feels apprehenſions; and here the people have a ſtrong hold upon him *from his ſole and perſonal reſponſibility.*

The Preſident of the upper-houſe (or the chancellor) in England, is appointed by their king, while our Vice-Preſident, who is choſen *by the people*, through the electors and the Senate, *is not at all dependent on the Preſident*, but may exerciſe equal powers on ſome occaſions. In all royal governments, *an helpleſs infant* or an inexperienced youth may wear the crown. *Our Preſident muſt be matured by the experience of years*, and being born among us, his character at thirty-five muſt be fully underſtood. Wiſdom, virtue and active qualities of mind and body can alone make him *the firſt ſervant* of a free and enlightened people.

Our Preſident will fall very far ſhort indeed of any prince in his annual income, which will not be hereditary, but *the abſolute allowance of the people, paſſing through the hands of their other ſervants from year to year, as it becomes neceſſary.* There will be *no burdens* on the nation, to provide for his heir, or other branches of his family. 'Tis probable, from the ſtate of property in America, and other circumſtances, that *many citizens will exceed him in ſhew and expence*, thoſe dazzling trappings of kingly rank and power. He will have no authority to make a treaty, without *two thirds of the ſenate*, nor can he appoint ambaſſadors or other great officers *without their approbation*, which will remove the idea of *patronage and influence*, and of perſonal obligation and dependence. The appointment of even the inferior officers may be taken out of his hands by an act of congreſs at any time; he can create *no nobility or titles of honor*, nor take away offices during good behaviour. *His perſon* is not ſo much protected as that of a member of the houſe of repreſentatives; for he may be proceeded againſt like any other man *in the ordinary courſe of law.* He appoints *no officer of the ſeparate ſtates.* He will have no influence *from placemen in the legiſlature*, nor can he prorogue or diſſolve it. He will have no power *over the treaſures of the ſtate*; and, laſtly, as he is *created* through the electors, by the people at large, *he muſt ever look up to the ſupport of his creators.* From ſuch a ſervant, with powers ſo limited and tranſitory, there can be no danger, eſpecially when we conſider the ſolid foundations on which our national liberties are immoveably fixed, by the other proviſions of this excellent conſtitution. Whatever of dignity or authority he poſſeſſes, is *a delegated part of their majeſty and their political omnipotence, tranſiently veſted in him by the people themſelves, for their own happineſs.*

NUMBER II.

On the ſafety of the people, from the reſtraints impoſed upon the Senate.

WE have ſeen that the late honorable convention, in deſignating the nature of the chief executive office of the United States, *have deprived it of all the dangerous appendages of royalty*, and provided for *the frequent expiration of its limited powers*---As our preſident bears *no reſemblance to a king*, ſo we ſhall ſee the ſenate have *no ſimilitude to nobles.*

Firſt, then, not being heriditary, their *collective* knowledge, wiſdom, and virtue are not precarious, *for by theſe qualities alone they are able to obtain their offices*; and they will have none of the *peculiar* follies and vices of thoſe men, *who poſſeſs power merely becauſe their fathers held it before them*, for they will be educated (under equal advantages, and with equal proſpects) among and on a footing with the other ſons of a free people. If we recollect the characters, who have, at various periods, filled the ſeats of congreſs, we ſhall find this expectation *perfectly reaſonable. Many young* men of genius, and *many characters of more matured abilities, without fortunes*, have been honored with that truſt. *Wealth has had but few repreſentatives there, and thoſe have been generally poſſeſſed of reſpectable perſonal qualifications.* There have alſo been many inſtances of perſons, not eminently endowed with mental qualities, who have been ſent thither *from a reliance on their virtues, public and private*---As the ſenators *are ſtill to be elected by the legiſlatures of the ſtates*, there can be no doubt of *equal ſafety and propriety* in their future appointment, eſpecially as no further pecuniary qualification is required by the conſtitution.

They can hold *no other office* civil or military under the United States, nor can they join *in making proviſion for themſelves*, either by creating new places, or encreaſing the emoluments of old ones. As their ſons are not to ſucceed them, they will not be induced to aim at an increaſe or perpetuity of their powers, at the expence of the liberties of the people, of which *thoſe ſons* will be a part. They poſſeſs *a much ſmaller ſhare of the judicial power* than the upper houſe in Britain, for they are not, as there, the higheſt court in civil affairs. Impeachments *alone* are the caſes recognizable before them, and in what other place could matters of that nature be ſo properly and ſafely determined? The judges of the fœderal courts will owe their appointments to the preſident and ſenate, therefore may not feel ſo perfectly free *from favour, affection and influence*, as the upper houſe, who receive their power from the people, through their ſtate repreſentatives, and are immediately reſponſible to thoſe aſſemblies, and finally to the nation at large---Thus we ſee, when a daring or dangerous offender is brought to the bar of public juſtice, the people, *who alone can impeach him by their immediate repreſentatives*, will cauſe him to be tried, *not by judges appointed in the heat of the occaſion*, but by two thirds of *a ſelect body, choſen a long time before, for various purpoſes, by the collected wiſdom of their ſtate legiſlatures.* From a pretence or affectation of extraordinary purity and excellence of character, *their word of honour* is the ſanction, under which theſe high courts, in other countries, have given their ſentence---but with us, like the other judges of the union, like the reſt of the people, *of which they are never to forget they are a part*, it is required that they be *on oath.*

No ambitious, undeſerving or inexperienced *youth* can acquire a ſeat in this houſe by means of the moſt enormous wealth, or moſt powerful connections, *till thirty years have ripened his abilities, and fully diſcovered his merits to his country*---a more rational ground of preference ſurely than mere property.

The ſenate, though more independent of the people, as to *the free exerciſe of their judgement and abilities*, than the houſe of repreſentatives, by the longer term of their office, muſt be older and more experienced men, and veſted with leſs effective power; for the public treaſures, *the ſinews of the ſtate*, cannot be called forth by their original motion. They may indeed *reſtrain the profuſion or errors* of the houſe of repreſentatives, *but they cannot take any of the neceſſary meaſures to raiſe a national revenue.*

The people, through the electors, *preſcribe* them ſuch a preſident as ſhall be *beſt qualified to controul them.*

They can only, by conviction on impeachment, *remove and incapacitate a dangerous officer*, but the puniſhment of him as a criminal *remains within the province of the courts of law, to be conducted under all the ordinary forms and precautions*, which exceedingly diminiſhes the importance of their judicial powers. They are *detached*, as much as poſſible, from *local* prejudices in favour of their reſpective ſtates, by having *a ſeparate and independent vote*, for the ſenſible and conſcientious uſe of which every member will find his *perſon, honor and character* ſeriouſly bound---He cannot ſhelter himſelf, *under a vote in behalf of his ſtate*, among his immediate colleagues. As there are only *two*, he cannot be voluntarily or involuntarily governed *by the majority of the deputation*---He will be obliged, by wholeſome proviſions, *to attend his public duty*, and thus in great national queſtions *muſt give a vote*, of the honeſty of which he will find it is neceſſary to convince his conſtituents.

The ſenate *muſt always receive the exceptions of the preſident* againſt any of their legiſlative acts, which, without *ſerious deliberation and ſufficient reaſons*, they will ſeldom diſregard. They will alſo feel a conſiderable check *from the conſtitutional powers of the ſtate legiſlatures*, whoſe rights they will not be diſpoſed to infringe, ſince they are the bodies *to which they owe their exiſtence*, and are moreover to remain *the immediate guardians of the people.*

And laſtly, the Senate will feel *the mighty check of the Houſe of Repreſentatives*---a body *ſo truly popular and pure in its election*, ſo intimately connected, by its intereſts and feelings, *with the people at large*, ſo guarded againſt *corruption and influence*---ſo much, from its nature, *above all apprehenſions*, that it *muſt ever be able to maintain the high ground aſſigned to it by the fœderal conſtitution.*

NUMBER III.

On the ſafety of the people, from the nature of the Houſe of Repreſentatives.

IN purſuing the conſideration of the new fœderal conſtitution, it remains now to examine the nature and powers of the Houſe of Repreſentatives---*the immediate delegates of the people.*

Each member of *this truly popular aſſembly* will be choſen by about ſix thouſand electors, *by the poor as well as the rich.* No decayed or venal borough will have an *unjuſt* ſhare in their determinations---no old *Sarum* will ſend thither a repreſentative *by the voice of a ſingle elector.** As we ſhall have no royal miniſters to purchaſe votes, ſo we ſhall have no votes for ſale; *for the ſuffrages of ſix thouſand enlightened and independent freemen are above all price.* When the increaſing population of the country ſhall render the body too large at the rate of one member for every thirty thouſand perſons, they will be returned at the greater rate of one for every forty or fifty thouſand, which will render the electors *ſtill more incorruptible.* For this regulation is only deſigned to prevent a *ſmaller number* than thirty thouſand from having a repreſentative. Thus we ſee a proviſion follows, that no ſtate ſhall have leſs than one member, for if a new and greater number than thirty thouſand ſhould hereafter be fixed on, which ſhould exceed the whole of the inhabitants of any ſtate, ſuch ſtate, without this wholeſome proviſion, would loſe its voice in the Houſe of Repreſentatives---a circumſtance which the conſtitution renders *impoſſible.*

The people of England, whoſe Houſe of Commons is filled with military and civil officers and penſioners, ſay their liberties would be perfectly ſecured by triennal Parliaments. *With us, no placeman can ſit among the repreſentatives of the people, and two years are the conſtitutional term of their exiſtence.* Here, again, leſt wealth, powerful connections, or even *the unwarineſs of the people* ſhould place in this important truſt an undeſerving, unqualified, or inexperienced youth, the wiſdom of the Convention has propoſed *an abſolute incapacity till the age of twenty five.* At twenty-one a young man is made the guardian of his *own* intereſt, *but he cannot, for a few years more, be entruſted with the affairs of the nation.* He muſt be an inhabitant of the ſtate that elects him, that he may be intimately acquainted with their *particular* circumſtances---The Houſe of Repreſentatives is not, *as the Senate*, to have a Preſident choſen *for them* from *without* their body, *but are to elect their Speaker from their own number*---They will alſo appoint *all their other officers.* In great ſtate caſes, they will be *the grand inqueſt of the nation*, for they poſſeſs *the ſole and uncontroulable power of impeachment.* They are neither *to wait the call*, nor *abide the prorogations and diſſolutions of a perverſe or ambitious Prince*, for they are to meet at leaſt once in every year, and ſit on adjournments to be agreed on between themſelves and the other ſervants of the people. Should they differ in opinion, the Preſident, who is *a temporary fellow-ſervant*, and not their hereditary maſter, has *a mediatorial power* to adjuſt it for them, *but cannot prevent their conſtitutional meeting within the year.* They can compel the attendance of their members, that their public duty may not be *evaded* in times of difficulty or danger---The vote of each repreſentative can be always known, as well as the proceedings of the houſe, *that ſo the people may be acquainted with the conduct of thoſe in whom they repoſe ſo important a truſt.* As was obſerved of the Senators, they cannot make *new* offices *for themſelves*, nor increaſe, *for their own benefit*, the emoluments of old ones, *by which the people will be exempted from needleſs additions to the public expences, on ſuch ſordid and mercenary principles*---They are not to be reſtrained from *the firm and plain language*, which becomes the independent repreſentatives of freemen, *for there is to be a perfect liberty of ſpeech.* Without their conſent, *no monies can be obtained, no armies raiſed, no navies provided.* They, *alone*, can originate bills for drawing forth the revenues of the union, and *they will have a negative upon every legiſlative act of the other houſe.*---So far, in ſhort, as the ſphere of fœderal juriſdiction extends, they will be controulable *only by the people*, and, in contentions with the other branch, ſo far as they ſhall be right, *they muſt ever finally prevail.*

Such, my countrymen, are *ſome* of *the cautionary proviſions* of the frame of government your faithful convention have ſubmitted to your conſideration---ſuch *the foundations of peace, liberty and ſafety*, which have been laid by their unwearied labours---They have guarded you againſt *all ſervants* but thoſe "whom choice and common good ordain," againſt *all maſters*, "ſave preſerving Heaven."

NUMBER IV.

The ſecurity for national ſafety and happineſs, reſulting from other parts of the Fœderal Government.

IN conſidering the reſpective powers of the Preſident, the Senate and the Houſe of Repreſentatives, under the fœderal conſtitution, we have ſeen *a part of the wholeſome precautions*, which are contained in the new ſyſtem. Let us examine what *further ſecurities for the ſafety and happineſs of the people* are contained in the general ſtipulations and proviſions.

The United States guarantee to every ſtate in the union *a ſeparate republican form of government.* From thence it follows, that any man or body of men, however rich or powerful, who ſhall make an alteration in the form of government of any ſtate, *whereby the powers thereof ſhall be attempted to be taken out of the hands of the people at large*, will ſtand *guilty of high treaſon*; or ſhould a *foreign* power ſeduce or overawe the people of any ſtate, ſo as to cauſe them to veſt in the families of any ambitious citizens or foreigners the powers of hereditary governors, *whether as Kings or Nobles*, that ſuch inveſtment of powers would be *void in itſelf*, and every perſon *attempting* to execute them would alſo be *guilty of treaſon.*

No *religious* teſt is ever to be required of any officer or ſervant of the United States. The people may employ *any wiſe and good citizen* in the execution of the various duties of the government. In Italy, Spain and Portugal, *no proteſtant* can hold a public truſt. In England *every preſbyterian, and other perſon not of their eſtabliſhed church*, is incapable of holding an office. No ſuch *impious* deprivation of the rights of men can take place under the new fœderal conſtitution. The convention has the honor of propoſing *the firſt public act*, by which any nation has ever *diveſted itſelf* of a power, every exerciſe of which is *a treſpaſs on the Majeſty of Heaven.*

No qualification *in monied or landed property* is required by the propoſed plan; nor does it admit any preference from the prepoſterous diſtinctions of *birth and rank.* The office of the Preſident, a Senator, and a Repreſentative, and every other place of *power or profit*, are therefore open *to the whole body of the people.* Any wiſe, informed and upright man, be his property what it may, *can exerciſe the truſts and powers of the ſtate*, provided he poſſeſſes the moral, religious and political virtues which are neceſſary to ſecure the confidence of his fellow citizens.

* *This is the caſe with that Britiſh Borough.*

The importation of ſlaves from any foreign country is, by a clear implication, held up to the world as equally inconſiſtent with the diſpoſitions and the duties of the people of America. A ſolid foundation is laid for exploding the principles of negro ſlavery, in which many good men of all parties in Pennſylvania, and throughout the union, have already concurred. The *temporary* reſervation of any particular matter muſt ever be deemed an admiſſion that it ſhould be done away. This appears to have been well underſtood. In addition to the arguments drawn from liberty, juſtice and religion, opinions againſt this practice, *founded in found policy*, have no doubt been urged. Regard was neceſſarily paid to the peculiar ſituation of our ſouthern fellow-citizens; but they, on the other hand, have not been inſenſible of *the delicate ſituation of our national character on this ſubject*.

The people will remain, under the propoſed conſtitution, *the fountain of power and public honor*. The Preſident, the Senate, and Houſe of Repreſentatives, will be *the channels* through which the ſtream will flow---but it will flow *from the people*, and from them *only*. *Every office*, religious, civil and military, will be either their *immediate gift*, or it will come *from them* through the hands of *their ſervants*. And this, as obſerved before, will be guaranteed to them under the ſtate conſtitutions which they reſpectively approve; for they *cannot* be royal forms, *cannot* be ariſtocratical, but *muſt* be republican.

The people of thoſe ſtates which have *faithfully* diſcharged their duty to the union will be no longer ſubjected *alone* to the weight of *the public debts*. Proper arrangements will call forth the *juſt* proportion of their ſiſter ſtates, and our national character will *again* be as unſtained, *as it was once exalted*. Elevation to independence, *with the loſs of our good name*, is only to be *conſpicuous in diſgrace*. The liberties of a people involved in debt are as *uncertain* as the liberty of an individual in the ſame ſituation. *Their virtue is more precarious*. The unfortunate citizen muſt yield to the operation of the laws, while a bankrupt nation too eaſy annihilates *the ſacred obligations of gratitude and honor*, and becomes *execrable and infamous*. I cannot refrain from reminding my fellow-citizens of our *near approach* to that deplorable ſituation, which *muſt* be our miſerable condition, if the defects of the old confederation remain without amendment. The propoſed conſtitution will cure the evil, and *reſtore* us to our rank among mankind.

Laws, made after the commiſſion of the fact, have been a dreadful engine in the hands of tyrannical governors. Some of the moſt virtuous and ſhining characters in the world have been put to death, by laws *formed to render them puniſhable*, for parts of their conduct which *innocence permitted*, and to which *patriotiſm impelled them*. Theſe have been called *ex poſt facto* laws, and are exploded by the new ſyſtem. If a time of public contention ſhall hereafter arrive, *the firm and ardent friends to liberty* may know the length to which they can puſh their noble oppoſition, on the foundation of the laws. Should their country's cauſe impel them further, they will be acquainted with the hazard, and uſing thoſe arms which Providence has put into their hands, will make a ſolemn appeal to "*the power above*."

The deſtruction of the ancient republics was occaſioned in every inſtance by their being ignorant of *a great political poſition, which was left for America to diſcover and eſtabliſh*. Self-evident as the truth appears, we find no friend to liberty in ancient Greece or Rome aſſerting, that *taxation and repreſentation were inſeparable*. The Roman citizens, proud of their own liberty, impoſed, in the freeſt times of the commonwealth, the moſt grievous burdens on their wretched provinces. At other times we find thouſands of their citizens, tho' reſiding within the walls of Rome, deprived of legiſlative repreſentatives. When America aſſerted *the novel truth*, Great-Britain, tho' boaſting herſelf as *alone free* among the modern nations, denied it by her legiſlature, and endeavoured to refute it by her arms---the reaſoning of tyrants. But the attempt was vain, for *the voice of truth* was heard above the thunders of the war, and *reached the ears of all nations*. Henceforth the people of the earth will conſider *this poſition* as the *only* rock on which they can found the temple of liberty, *that taxation and repreſentation are inſeparable*. Our new conſtitution carries it into execution on the moſt enlarged and liberal ſcale, for a Repreſentative will be choſen by *ſix thouſand* of his fellow-citizens, a Senator by *half a ſovereign ſtate*, a Preſident by *a whole nation*.

The old fœderal conſtitution contained many of *the ſame things*, which from error or diſingenuouſneſs are urged againſt the new one. *Neither* of them have a bill of rights, *nor does either* notice the liberty of the preſs, becauſe they are already provided for *by the ſtate conſtitutions;* and relating only to *perſonal* rights, they could not be mentioned *in a contract among ſovereign ſtates*.

Both the old and new fœderal conſtitutions, and indeed *the conſtitution of Pennſylvania*, admit of courts in which no uſe is made of a jury. The board of property, the court of admiralty, and the high court of errors and appeals, in the ſtate of Pennſylvania, as alſo the court of appeals under the old confederation, exclude juries. *Tryal by jury will therefore be in the expreſs words of the Pennſylvania conſtitution*, "*as heretofore*,"---almoſt always uſed, though ſometimes omitted. Trials for lands lying in any ſtate between perſons reſiding in ſuch ſtate, for bonds, notes, book debts, contracts, treſpaſſes, aſſumptions, and all other matters between two or more citizens of any ſtate, will be held in the ſtate courts by juries, *as now*. In theſe caſes the fœderal courts *cannot interfere*. But when a diſpute ariſes between the citizens of any ſtate about lands lying out of the bounds *thereof*, or when a trial is to be had between the citizens of any ſtate and thoſe of another, or the government of another, the private citizen will not be obliged to go into a court *conſtituted by the ſtate*, with which, or with the citizens of which, *his diſpute is*. *He can appeal to a diſintereſted fœderal court*. This is ſurely a *great advantage*, and promiſes a *fair trial*, and an *impartial judgment*. The trial by jury is *not excluded* in theſe fœderal courts. In all *criminal* caſes, where the property, liberty or life of the citizen is at ſtake, he has the benefit of a jury. If convicted on impeachment, which is never done by a jury in any country, he cannot be fined, impriſoned or puniſhed, but only may be *diſqualified* from doing public miſchief by loſing his office, and his capacity to hold another. If the nature of his offence, beſides its danger to his country, ſhould be *criminal* in itſelf---ſhould involve a charge of fraud, murder or treaſon---he may be tried for ſuch crime, but cannot be convicted *without a jury*. In trials about property in the fœderal courts, which can only be *as above ſtated*, there is nothing in the new conſtitution *to prevent a trial by jury*. No doubt it will be the mode in every caſe, wherein it is practicable. This will be adjuſted by law, and it could not be done otherwiſe. In ſhort, the ſphere of juriſdiction for the fœderal courts *is limited*, and that ſphere only is ſubject to the regulations of our fœderal government. The known principles of juſtice, the attachment to trial by jury whenever it can be uſed, the inſtructions of the ſtate legiſlatures, the inſtructions of the people at large, the operation of the fœderal regulations on the property of a preſident, a ſenator, a repreſentative, a judge, as well as on that of a private citizen, will certainly render theſe regulations as favorable as poſſible to *property; for life and liberty are put more than ever into the hands of the juries*. Under the *preſent* conſtitution of all the ſtates, a public officer may be condemned *to impriſonment or death* on impeachment, *without a jury;* but the new fœderal conſtitution protects the accuſed, till he ſhall be convicted, from the hands of power, by rendering *a jury the indiſpenſible judges of all crimes*.

The *influence* which *foreign* powers may attempt to exerciſe in our affairs was *foreſeen*, and a wholeſome proviſion *has been made againſt it*; for no perſon holding an office under the United States is permitted to enjoy *any foreign honors, powers or emoluments*.

The apprehenſions of the people have been excited, perhaps by perſons with good intentions, about the powers of the new government to raiſe an army. Let us conſider this point with moderation and candor. As enemies will ſometimes inſult us, invade our country, and capture our property, it is clear a power in our government to oppoſe, reſtrain or deſtroy them, is neceſſary to our honor, ſafety and exiſtence. The military ſhould, however, be regarded *with a watchful eye;* for it is a profeſſion that is liable to dangerous perverſion. But the powers veſted in the fœderal government *do not go the length* which has been ſaid. *A ſtanding army is not granted or intended*, for there can be no proviſion for its continuing three years, much leſs for its *permanent eſtabliſhment*. Two years are the utmoſt time for which the money can be given. It will be under all the reſtrictions which *wiſdom and jealouſy can ſuggeſt*, and the original grant of the ſupplies muſt be made by the Houſe of Repreſentatives, *the immediate delegates of the people*. The Senate and Preſident, who alſo derive their power from *the people*, appoint the officers; and the heads of the departments, *who muſt ſubmit their accounts to the whole legiſlature*, are to pay and provide them, *as ſhall be directed by the laws that ſhall contain the conditions of the grant*. The militia, *who are in fact the effective part of the people at large*, will render many troops *quite unneceſſary*. They will form a *powerful check* upon the regular troops, and will generally be ſufficient *to overawe them*---for our *detached* ſituation will ſeldom give occaſion to raiſe an army, though *a few ſcattered companies* may often be neceſſary. But whenever, *even on the moſt obvious reaſons*, an army ſhall be raiſed, the ſeveral ſtates will be called, *by the nature of things*, to attend to the condition of *the militia*. Republican jealouſy, *the guardian Angel of theſe ſtates*, will watch the motions of our military citizens, even though they will be the ſoldiers of a free people. There is a wide difference between the troops of ſuch a commonwealth as ours, *founded on equal and unalterable principles*, and thoſe of a regal government, where ambition and oppreſſion are *the profeſſion of the king*. In the firſt caſe, a military officer is *the occaſional ſervant of the people, employed for their defence*; in the ſecond, he is *the ever ready inſtrument* to execute the ſchemes of conqueſt or oppreſſion, with which the mind of his royal maſter may be diſturbed.

Obſervations have been made on the power given to the fœderal Government in regard to the elections of Repreſentatives and Senators. The regulations of theſe elections are, by the firſt part of the clauſe, to be preſcribed by the ſtate legiſlatures, *who are certainly the proper bodies, if they will always execute the duty*. But in caſe the union or the public ſafety ſhould be *endangered* by an omiſſion of this duty, as in the caſe of Rhode-Iſland, then the legiſlature of the United States can name for the people a convenient time, and do other matters neceſſary *to enſure the free exerciſe of their right of election*. The exception, in regard to the places of chuſing *Senators*, was made from due reſpect to *the ſovereignty* of the ſtate legiſlatures, who are to elect the Senators, and whoſe place of meeting *ought not to be preſcribed to them by any authority*, except indeed, as we always muſt, *by the authority of the people*. This power given to the fœderal legiſlature is no more than what is poſſeſſed by the governments of all the ſtates. The conſtitution of Pennſylvania permits two thirds of ſuch cities and counties, as ſhall elect repreſentatives, to exerciſe all the powers of the General Aſſembly, "*as fully and amply as if the whole were preſent*," ſhould any part of the ſtate neglect or refuſe to perform their duty in this particular. In ſhort, it is a power *neceſſary to preſerve the ſocial compact of each ſtate and the confederation of the United States*.

Beſides the ſecurities for the liberties of the people ariſing out of the fœderal government, they are guarded by *their ſtate conſtitutions, and by the nature of things in the ſeparate ſtates*. The Governor or Preſident in each commonwealth, the Councils, Senates, Aſſemblies, Judges, Sheriffs, Grand and Pettit Juries, Officers of Militia, Clergy and Lay Officers of all churches, ſtate and county Treaſurers, Prothonotaries, Regiſters, Preſidents and other officers of Univerſities, Colleges and Academies, Wardens of ports and cities, Burgeſſes of towns, Commiſſioners of counties, County Lieutenants, and many other officers of power and influence, *will ſtill be choſen within each ſtate, without any poſſible interference of the fœderal government*. The ſeparate ſtates will alſo chooſe *all the members of the legiſlative and executive branches of the United States*. The people at large in each ſtate will chooſe their fœderal repreſentatives, and, unleſs ordered otherwiſe by the ſtate legiſlatures, may chooſe the electors of the Preſident and Vice-Preſident of the Union. And laſtly, the legiſlatures of the ſtates will have the election of the Senate, as they have heretofore had of the Members of Congreſs. Let us then, with a candor *worthy of the ſubject*, aſk ourſelves, whether it can be feared, that *a majority* of the Repreſentatives, each of whom will be choſen by ſix thouſand enlightened freemen, can betray their country?---Whether *a majority* of the Senate, each of whom will be choſen by the legiſlature of a free, ſovereign and independent ſtate, *without any ſtipulations in favour of wealth or the contemptible diſtinctions of birth or rank*, and who will be choſen, obſerved *by the ſtate legiſlatures*, can deſtroy our liberties, *controuled as they are too by the houſe of repreſentatives?*---or whether *a temporary limited executive officer*, watched by *the fœderal Repreſentatives*, by *the Senate*, by *the State Legiſlatures*, by *his perſonal enemies* among the people of his *own* ſtate, by the jealouſy of the people of *rival* ſtates, and by *the whole of the people* of the Union, can ever endanger our Freedom?

Permit me, my fellow-citizens, to cloſe theſe obſervations by remarking, that there is no ſpirit of arrogance in the new fœderal conſtitution. It addreſſes you with becoming modeſty, admitting that it may contain errors. Let us give it a trial; and when experience has taught its miſtakes, *the people, whom it preſerves abſolutely all powerful* can reform and amend them. That I may be perfectly underſtood, I will acknowledge its acceptance by all the ſtates, without delay, is the *ſecond* wiſh of my heart. *The firſt is, that our country may be virtuous and free*.

AN AMERICAN CITIZEN.

In Convention, September 17, 1787.

SIR,

WE have now the honor to ſubmit to the conſideration of the United States in Congreſs aſſembled, that Conſtitution which has appeared to us the moſt adviſeable.

The friends of our country have long ſeen and deſired, that the power of making war, peace and treaties, that of leving money and regulating commerce, and the correſpondent executive and judicial authorities, ſhould be fully and effectually veſted in the general government of the Union: but the impropriety of delegating ſuch extenſive truſt to one body of men is evident---Hence reſults the neceſſity of a different organization.

It is obviouſly impracticable in the fœderal government of theſe ſtates, to ſecure all rights of independent ſovereignty to each, and yet provide for the intereſt and ſafety of all---Individuals entering into ſociety muſt give up a ſhare of liberty, to preſerve the reſt. The magnitude of the ſacrifice muſt depend as well on ſituation and circumſtance, as on the object to be obtained. It is at all times difficult to draw with preciſion the line between thoſe rights which muſt be ſurrendered, and thoſe which may be reſerved; and on the preſent occaſion this difficulty was encreaſed by a difference among the ſeveral ſtates, as to their ſituation, extent, habits, and particular intereſts.

In all our deliberations on this ſubject we kept ſteadily in our view, that which appears to us the greateſt intereſt of every true American, the conſolidation of our union, in which is involved our proſperity, felicity, ſafety, perhaps our national exiſtence. This important conſideration, ſeriouſly and deeply impreſſed on our minds, led each State in the Convention to be leſs rigid on points of inferior magnitude, than might have been otherwiſe expected; and thus the Conſtitution which we now preſent is the reſult of a ſpirit of amity, and of that mutual deference and conceſſion, which the peculiarity of our political ſituation rendered indiſpenſible.

That it will meet the full and entire approbation of every State is not perhaps to be expected; but each will doubtleſs conſider, that had her intereſts been alone conſulted, the conſequences might have been particularly diſagreeable or injurious to others; that it is liable to as few exceptions as could reaſonably have been expected, we hope and believe; that it may promote the laſting welfare of that country, ſo dear to us all, and ſecure her freedom and happineſs, is our moſt ardent wiſh.

With great reſpect,
We have the honor to be,
SIR,
Your EXCELLENCY's moſt
Obedient and humble Servant,
GEORGE WASHINGTON, Preſident.
By unanimous Order of the Convention.

His Excellency
The PRESIDENT *of* CONGRESS.

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